

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34765 of 2026

Arising Out of PS. Case No.-529 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Rahul Kumar @ Rahul Kumar Paswan S/o Balindar Paswan Resident of
Village - Chak Baladhari Balwa Kauri, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 529 of 2024 instituted for the offences
under Sections 223, 317(5) of the Bharatiya Nyaya Sanhita,
Sections 8, 20(b)(ii)A of the NDPS Act and Section 52 of the
Prisoner Act.

3. Prosecution case, in short, is that during a routine
jail inspection, a Jail Warden recovered a bundle from behind
Prison Block-4 outside the prison wall containing a mobile
phone, tobacco, suspected ganja around 15 grams, and two
cigarettes.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in this case on the basis of allegedly recovered mobile phone. Petitioner is in custody since 04.12.2025 and has seven criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. The recovered contraband is below the small quantity. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Sadar P.S. Case No. 529 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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