

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69167 of 2025

Arising Out of PS. Case No.-1162 Year-2023 Thana- ARARIA District- Araria

=====

Pappu Yadav @ Pappu Pelu @ Pelu S/o Chotu Yadav @ Chhootu Yadav R/o
Village- Kharaihiya Basti, Ward No. 10, P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 16-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 21(B), 8, 20(b)(ii)(B) of
the N.D.P.S. Act.

3. As per the prosecution case, on the basis of
secret information, 99 gram smak, 2.962 kg of ganja and
Rs.6,40,500/- have been recovered from the place of
occurrence.

4. Learned counsel for the petitioner submit that
the name of the petitioner has been included in the First
Information Report on account of fact that he had certain
criminal antecedents, however, the First Information Report is
clear that the recovery of narcotic has been made from the



possession of one Md. Jasim from his house and it is only upon his disclosure that the name of the petitioner has transpired almost at the fag end of the F.I.R.. It is further submitted that the co-accused persons, who had been arrested on the spot, have been granted privilege of bail by a Co-ordinate Bench of this Court vide order dated 10.01.2025 passed in Cr. Misc. No.346 of 2025, and also another accused Md. Nasim, whose case stands similarly situated to the petitioner as his name was also disclosed by apprehended accused, has also been granted bail by a Co-ordinate bench of this Court vide order dated 22.09.2025 passed in Cr. Misc. No.47792 of 2025. It has further been submitted that no recovery has been made from the conscious possession of the petitioner and he is in custody since 12.06.2025 and after charge-sheet having been submitted on 30.06.2025 itself, charges have also been framed in the case.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that there is no recovery from the conscious possession of this petitioner and charges have also been framed, coupled with the fact that similarly



situated co-accused has already been granted the privilege of bail by Co-ordinate Bench of this Court, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-IV, Araria/concerned Court below in connection with N.D.P.S. Case No.48 of 2024 arising out of Araria P.S. Case No. 1162 of 2023 subject to condition that:-

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

7. However, learned Court concerned shall accept the bail bonds of the petitioner after ensuring the fact that the charges have been framed in the case, as such submission has been made in this Court.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

