

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85383 of 2025

Arising Out of PS. Case No.-285 Year-2025 Thana- KAHALGAON District- Bhagalpur

Bablu Mandal Son of Damodar Mandal Resident Of Village -Tintanga Diyara,
Ps- Rangra Gopalpur, Dist -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash Dwivedi, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with
Kahalgaon P.S. Case No. 285 of 2025, instituted for the offences
under Sections 8/20(b) (II) (B) of the N.D.P.S. Act.

3. As per prosecution case, the petitioner is said to have
been apprehended on a motorcycle carrying 1.900 Gm of ganja
like material.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and no such
recovery, as alleged has been recovered. It has next been submitted
that the petitioner has been implicated in the present case only
because he carries two criminal antecedents, though cases of
Excise Act. It has further been submitted that the seizure has been



done in complete violation of provision of Section 103 of the B.N.S.S. Act. It has lastly been submitted that the recovered quantity falls under the small category of N.D.P.S. and therefore, rigors of Section 37 is not applicable in the present case. The petitioner is in custody since 02.09.2025.

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

6. Considering the aforesaid submissions, the petitioner above named, is directed to 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 Principal District & Sessions Judge, Bhagalpur in connection with Kahalgaon P.S. Case No. 285 of 2025, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same or in the name of verification.

(v) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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