

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88499 of 2025

Arising Out of PS. Case No.-141 Year-2023 Thana- GAYA RAIL P.S. District- Gaya

Deepak Pathak S/o Vijay Pathak R/o Village- Lahthan, Ward no. - 3, Police
Station - Agiyaw Bazar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar Pandey

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 3rd attempt of the petitioner. The
petitioner seeks bail in connection with Gaya Rail P.S. Case
No.141 of 2023 registered for the offence under sections 8/20(b)
(ii)(c) of the NDPS Act.

3. Earlier the bail application of the petitioner was
rejected twice on 27.02.2024 in Cr. Misc. No. 75605 of 2023
and on 02.05.2025 in Cr. Misc. No. 17567 of 2025.

4. As per the prosecution case, 21 Kg of ganja has
been recovered from the possession of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 15.05.2023 and has clean



antecedent. He further submits that out of six witnesses, only two witnesses have been examined yet.

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

6. Considering the period of custody and the delay in the trial, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-II, Gaya/concerned Court below in connection with NDPS Case No. 39 of 2023 arising out of Gaya Rail P.S. Case No. 141 of 2023 subject to conditions that:-

(i). At the time of accepting the bail bonds of the petitioner, the Court below shall verify the fact whether the petitioner has clean antecedent or not. If it is found that the petitioner has clean antecedent then only his bail bonds shall be accepted by the Court below. However, it is made clear that the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sandeep Kumar, J)

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