

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 89237 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- TAJPUR District- Samastipur

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Aman Kumar S/O Shatrudhan Rai Resident of Village- Kusahar Khas, Police
Station- Mahua, District-Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

Ms. Mili Kumari, Advocate

For the State : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Tajpur P.S. Case No. 168 of 2025 registered for the offences

punishable under Sections 21(a) and 22(a) of the N.D.P.S.

Act.

3. As per the prosecution case, total 7 grams and

600 milligrams of smack has been recovered from beneath

the seat of the petitioner's motorcycle.

4. Learned counsel for the petitioner submits that



the petitioner is quite innocent and has committed no offence as alleged in the F.I.R. It is further submitted that the petitioner has nothing to do with the alleged recovery and that the petitioner has no concern with the alleged vehicle. Except for mere suspicion, there is nothing on record to connect the present petitioner with the alleged occurrence. Learned counsel further submits that the petitioner was merely a mute spectator at the place of occurrence and was apprehended on the basis of suspicion. It is further submitted that there is no case of a similar nature pending against the petitioner, though he has four criminal antecedents in which he is already on bail. It is also orally submitted that the charge-sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. The petitioner has been in custody since 20.09.2025.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner on the ground that he has criminal antecedents in four cases. It is further submitted that the alleged recovery of 7 grams and 600 milligrams of smack was made from beneath the seat of the motorcycle. Hence, the petitioner does not deserve bail.



6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Samastipur in connection with Tajpur P.S. Case No. 168 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

Nilmani/-

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