

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39519 of 2024**

Arising Out of PS. Case No.-38 Year-2024 Thana- SONBERSA District- Sitamarhi

AKASH KUMAR SAH SON OF ASHOK SAH VILLAGE- RAMNAGRA,  
RASALPUR, WARD NO. 13, PS- SONBARSA, DIST- SITAMARHI P/A-  
MALANGWA, WARD NO. 3 PS- MALANGWA, DIST- SARLAHI, NEPAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Ashok Kumar Jha, Advocate  
For the State : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      29-11-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Section 21(c) of the N.D.P.S. Act.

3. The prosecution case in brief is that 700 bottles of  
cough syrup and one motorcycle bearing Registration No.  
BR30-T-7641 were recovered from the house of co-accused  
Bharat Mahto. It is alleged that at the time of seizure, this  
petitioner was present at the spot.

4. It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from the  
conscious possession of this petitioner and he has got no  
concern with the seized articles. As a matter of fact, petitioner



was working as a domestic help in the house of co-accused Bharat Mahto. Petitioner is neither owner nor driver of the motorcycle in question. Petitioner has got no criminal antecedents and he is in custody since 29.01.2024. Moreover, charge-sheet has already been submitted.

5. On the other hand, 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, rival submissions, nature of accusation, clean antecedents of the petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Sitamarhi, in connection with Sonbarsa P.S. Case No. 38 of 2024.

**(Prabhat Kumar Singh, J)**

shashank/-

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