

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76822 of 2024**

Arising Out of PS. Case No.-208 Year-2024 Thana- HARLAKHI District- Madhubani

Harshbardhan Mehra Son of Devendra Ram R/o village- Harine ,ward no. 5,  
P.s.- Harlakhi , District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                                  |
|----------------------------|---|--------------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Ravi Prakash, Advocate<br>Mr. Gagan Deo Yadav, Advocate<br>Mr. Udeshya Kumar Yadav, Advocate |
| For the Opposite Party/s : |   | Mr. Pushpa Sinha.1, APP                                                                          |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      29-10-2024                      Heard Mr. Gagan Deo Yadav, learned counsel for the  
petitioner and the State.

2. The petitioner is in custody in connection with Harlakhi P.S. Case No. 208 of 2024 for the offence punishable under sections 20/22 of the N.D.P.S. Act lodged on 07.08.2024 by the informant, Rajendra Pal.

3. As per the prosecution story, the informant alleged that upon secret information, Honda Activa Scooty was intercepted and upon search, 150 bottles of tripholidine Hydrochloride and codeine phosphate syrup (100 ml) have been recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the vehicle does not belong to him nor he was driving it and in any



case, recovery/seizure is 60 mg of codeine syrup which is below the commercial quantity of 250 gms.

5. Learned APP opposes the prayer for bail submitting that he being pillion rider in the said scooty cannot escape the from the responsibility of the recovery.

6. Considering the submission put forwarded by the parties as also that the same is below the commercial quantity and is in custody since 07.08.2024 (paragraph-17 of the petition) and has no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. However if it is found that he do have criminal antecedent, the present order shall become infructuous.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge, Madhubani, in connection with Harlakhi P.S. Case No. 208 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Adnan/-

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