

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11035 of 2025

Arising Out of PS. Case No.-750 Year-2024 Thana- FORBESGANJ District- Araria

Ayushman Kumar @ Ayushmaan Kumar S/o Ashok Singh R/o Proffesor
Colony, Ward No. 25, Forbesganj, P.S. Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 18-06-2025 Heard Mr. Arun Kumar Mandal, the learned counsel
appearing on behalf of the petitioner and Mr. Shyameshwar
Dayal, the learned Additional Public Prosecutor 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. As per the prosecution case, the police conducted a
raid on secret information in a homeopathic medicine shop
owned by one Radhe Mahto and 1.4 liters of codeine cough
syrup containing codeine phosphate was recovered and one
person managed to flee. It is stated that one person was
apprehended who disclosed his name as Ayushman Kumar
(petitioner).

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. He further submits that petitioner is not the owner of the



said shop where the incriminating article was recovered from the counter of the shop. The learned counsel for the petitioner next submits that petitioner was merely a salesman at the said shop and the owner, namely, Radhe Mahto had managed to flee. Lastly, it has been submitted by the learned counsel for the petitioner that the petitioner has clean antecedent and is in custody since 18.12.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and taking into account the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, 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 the learned court below where the case is pending/successor court in connection Forbesganj P.S. Case No. 750 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in



Court on each date of the trial.

(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 cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 or in the name of verification.

(Sourendra Pandey, J)

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