

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9784 of 2025

Arising out of PS. Case No.-345 Year-2024 Thana- SONBERSA District- Sitamarhi

Sunil Kumar Son of Sri Shambhu Sah Resident of Village - Arariya, Ward No. 13, P.S. - Kanhauli, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
		Ms. Divya Bharti, Advocate
For the Opposite Party/s:		Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 29-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Sonbarsa P.S. Case No. 345 of 2024 dated 06.11.2024 instituted for the offences under Section 21(C) of NDPS Act. He has no criminal antecedent.

3. The prosecution case is to the effect that on a secret information two persons were apprehended and they disclosed their names as Sunil Kumar (Petitioner) and Ravi Ranjan and on search total 45 litres of cough syrup containing codeine was recovered from E-rickshaw on which they were travelling.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It is further



submitted by learned counsel for the petitioner that the petitioner happens to be the driver of the E-rickshaw and whatsoever consignment is loaded he used to carry and he has no concern with the same. It is also submitted that no incriminating material has been recovered from his conscious possession. It is lastly submitted that the petitioner has no criminal antecedent and he is in custody since 07.11.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that 45 litres of cough syrup containing codeine was recovered from the E-rickshaw on which the petitioner was travelling.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner has clean antecedent and he is in custody since 07.11.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 345 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled by the Court concerned.

(iv) And further condition that the 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 the same or in the name of verification.

(Sourendra Pandey, J)

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