

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15771 of 2025

Arising Out of PS. Case No.-154 Year-2024 Thana- LAUKAHA District- Madhubani

Sharwan Kumar Gupta @ Shrawan Kumar Gupta S/o- Upendra Prasad @
Upendra Prasad Gupta R/V- Laukaha Karmrgh Uttri Ward No 10 PS-Laukha
Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-04-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State, Shri Rabindra Kumar.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 21 and 27 of NDPS Act and Section 30 of Bihar Excise and Prohibition Amendment Act 2022, and Sections 274 and 275 of BNS.

3. This is the second attempt of the petitioner to seek bail.

4. Learned counsel for the petitioner submits that allegation is of recovery of 30 litres of Korkof-C cough syrup along with 20 litres of Wixdin cough syrup from an *Auto*.

5. Learned counsel for the petitioner next submits that petitioner is owner-cum-driver of the *Auto* and the *Auto* was hired by one Pankaj Kumar Shah, as such, the petitioner was not aware that the goods, which he was carrying, were cough syrup. It is further



submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that charges against the petitioner have been framed on 23-12-2024 and the petitioner will cooperate in the trial to prove his innocence.

6. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

7. Considering the submission made by learned counsel for the petitioner, 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 the learned trial court where the case is pending/successor court in connection with Laukaha P.S. Case No. 154 of 2024.

8. One of the bailors of the petitioner shall be his father, Upendra Prasad @ Upendra Prasad Gupta.

9. It is made clear that if the learned trial court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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