

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20360 of 2025

Arising Out of PS. Case No.-270 Year-2024 Thana- GWALPARA District- Madhepura

Uday Raj @ Uday Kumar Son of Dhirendra Yadav Resident of village -
Jirwa, P.S.- Pastwar, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Gwalpara P.S. Case No. 270 of 2024, dated
21.12.2024, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 10 litre of Wiscof cough syrup
containing codeine has been recovered from one Alto Car
bearing Registration No. BR-11AA-6108 with two persons
sitting in the car who have been arrested and named in the FIR.
However, the petitioner has been named in the FIR alleging that
after seeing the police, he fled away from the place of
occurrence.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has nothing to do with the alleged offence and neither any recovery has been made from the possession of the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Gwalpara P.S. Case No. 270 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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