

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23211 of 2025

Arising Out of PS. Case No.-950 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Shankar Pal @ Sankar Pal S/o- Dulal Pal Resident of Adityapur Majdia PS-
Krishnaganj District- Nadia West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-05-2025 Heard Mr. Rajesh Kumar Mishra, learned counsel for

the petitioner and Mr. Jitendra Kumar Singh representing the

State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 950 of 2024 for the offence under sections 8(c), 21(c) and 29 of the NDPS Act lodged on 17.12.2024 by the informant, Linkan Kumar.

3. As per the prosecution story, the informant alleged that a Maruti Ertiga car moving from Uttar Pradesh side was intercepted and there is recovery/seizure of 179.800 liters of *phensedyl* cough syrup. This led to the FIR.

4. Learned counsel for the petitioner submits that the vehicle was being driven by his driver Vikram Vishwas and Shahabul Sheikh was present in it. He had no knowledge about



the same being used for carrying prohibited items, the petitioner do not have criminal antecedent, during the pendency of the case, shall not indulge in any criminal activities and shall be diligently appearing in trial, if granted relief.

5. Learned APP opposes the prayer submitting that he being the owner cannot exonerate himself from the responsibility/charges.

6. Taking into account the submissions of the parties as also that when the car was intercepted, it was driven by Vikram Vishwash and another person, Shahabul Sheikh was present, the petitioner is the owner, have no criminal antecedent, undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Kaimur at Bhabua in connection with Excise P.S. Case No. 950 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(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 next 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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