

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31840 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- HARLAKHI District- Madhubani

Chandan @ Chandan Sah @ Chandan Kumar Sah S/o Late Sukhdev Sah R/o
Village- Basuki Bihari, P.S.- Madhwapur, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
Mr. Uday Kumar Mahto, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Harlakhi P.S. Case No. 208 of 2024, registered for the offences punishable under Sections 20 and 22 of N.D.P.S Act. Petitioner has two criminal antecedents.

3. The prosecution case is to the effect that the informant on secret information intercepted a scooty and person, namely, Harshbardhan Mehta was apprehended and on search 150 bottles of Tripholidine Hydrochloride and Codeine Phosphate Syrup has been recovered. The apprehended person had disclosed the name of the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of confessional statement of the apprehended co-accused, namely, Harshbardhan Mehta. The learned counsel for the petitioner further submits that no incriminating article has been recovered from the conscious possession of the petitioner and lastly it has been submitted that the co-accused on whose statement, the name of the petitioner has surfaced and who was apprehended with the said narcotic substance has been released by this Hon'ble Court vide order dated 29.10.2024, passed in Criminal Misc. No. 76822 of 2024. It has lastly been submitted that petitioner has two criminal antecedents and he is in custody since 17.03.2025.

5. The learned A.P.P. for the State opposes the prayer for bail.

6. Considering the aforesaid submissions made by the parties and taking into account that the petitioner was not apprehended at the place of occurrence and the person who was apprehended and on whose statement the name of the petitioner had surfaced, has already been granted bail, 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 court of learned Principal Session Judge, Madhubani, in connection with Harlakhi P.S. Case No. 208 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(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 and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled 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 or in the name of
verification.

(Sourendra Pandey, J)

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