

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34685 of 2025**

Arising Out of PS. Case No.-65 Year-2025 Thana- BHAWANIPUR District- Purnia

1. Mithu Kumar Gupta @ Mithu Kumar son of Yogendra Lal Gupta Resident of Paswan Tola Bhawanipur PS -Bhawanipur District -Purnea
2. Aruna Devi @ Karuna Devi Wife of Manoj Lal Gupta village- Babhangama, Ps- Bihpur, Dist- bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate  
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      22-05-2025                      Heard learned Counsel for the petitioners and  
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bhawanipur P.S. Case no. 65 of 2025 for the offence registered under sections 8(c)/21(c) of the N.D.P.S. Act lodged on 13.03.2025 by the informant Vinod Kumar.

3. As per the prosecution story, the informant alleged that on the secret information, the house of the petitioners was raided and there is recovery/seizure of 10 liter cough syrup. This led to the FIR.

4. Learned Counsel for the petitioners submits that recovery/seizure is from the house which is a joint property,



they have no role in this recovery and even otherwise, it is below the commercial quantity. They have no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties and also the fact that they do not have criminal antecedent and nothing has been recovered from their conscious possession, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bond bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned learned Sessions Judge Cum Special Judge NDPS Act, Purnea in connection with Bhawanipur P.S. Case No. 65 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioner no.1 shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners 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 petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Rajiv Roy, J)**

ajay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

