

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37806 of 2025**

Arising Out of PS. Case No.-58 Year-2025 Thana- LAUKAHI District- Madhubani

Purushottam Yadav @ Purushotam S/o Santosh Yadav @ Santosh Kumar  
Resident of village- Nahar Chowek, Atari, PS- Laukahi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      18-06-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Laukahi P.S. Case No. 58 of 2025 registered for the offences under Sections 8, 21(C), 22(C) of the NDPS Act.

3. As per prosecution case, on secret information about movement of a tempo with suspicious articles going towards border, the tempo of the petitioner was intercepted and consignment of medicines was seized and the petitioner disclosed that he used to supply the medicines in Nepal. Two co-accused persons approached the raiding party and claimed ownership of the medicines, who were also apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. From perusal of the FIR, it is apparent that no offence is made out as the seized articles are all medicines and nowhere it has been mentioned that any narcotic drug and psychotropic substance has been seized. There is complete violation of mandatory provisions of NDPS Act as well as BNSS regarding search and seizure. Learned counsel further submits that only medicine, which could be stated to be containing some narcotic substances is Onerex syrup but it has nowhere been mentioned that the seizure was made for carrying such medicine. Moreover, co-accused Amod Kumar Yadav and Prem Kumar Pandit voluntarily came and claimed the medicines which has been seized from the spot and it shows the petitioner was merely a driver and has no connection with the illegal contraband. If the co-accused persons claimed ownership and further considering different nature of the medicines, there appears no possibility of petitioner indulging in illicit trade of Narcotic Drug or Psychotropic Substance. The petitioner is in custody since 29.03.2025 and is having clean antecedent. Learned counsel further submits that the co-accused persons who claimed ownership over the medicines have been granted bail by a Co-ordinate Bench of this Court vide order dated 05.06.2025 passed in Cr. Misc. No. 34714 of 2025. The case of the petitioner is on



better footing.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the predominantly medicinal character of the seized articles and further considering the claim of ownership over the medicines by co-accused persons who have been granted bail by a Co-ordinate Bench and also considering the clean antecedent of the petitioner along with his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Madhubani/concerned court in connection with Laukahi P.S. Case No. 58 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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