

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39835 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- JANKINAGAR District- Purnia

Rohit Kumar Son of Manoj Yadav Resident of Village Khunt Hatiya tola ,
Ward No 10, PS Jankinagar, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sn Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Jankinagar P.S. Case No. 399 of 2024, instituted for the offences
punishable under Sections 8(c) and 21(c) of the NDPS Act.

3. Earlier vide order dated 05.02.2025 passed in Cr.
Misc. No. 1018 of 2025, the petitioner was granted anticipatory
bail by a Co-ordinate Bench of this Court with a direction to the
Court below to verify the criminal antecedent of the petitioner.
Further, it appears that the Court below, after verification, has
found that the petitioner bears four criminal antecedents,
accordingly, the bail bonds of the petitioner was not accepted.

4. The prosecution case, in short, is that, altogether 10
bottles of Codeine Phosphate & Triprolidine Hydrochloride



Wiscof Cough Syrup, each containing 100 ml. total 1000 ml.,
was recovered from roadside.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of cough syrup. The place of recovery is an open place, which is roadside and the same is easily accessible to the public at large. The petitioner is in custody since 23.04.2025 and has got four criminal antecedents in which he is on bail in two cases.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jankinagar P.S. Case



No. 399 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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