

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45267 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- INARWA District- West Champaran

Diwas kumar S/O Pannalal Prasad R/O Village- Inarwa, P.O- Inarwa, P.S-
Inarwa, Distt.- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 15-11-2025 Heard Mr. Dhananjay Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Inarwa P.S. Case No. 63 of 2025 for the offence punishable under Sections 22(b) of N.D.P.S. Act lodged on 14.05.2025 by the informant, Pappu Dubey.

3. As per the prosecution story, the Police informant alleged that during the vehicle checking, got the information about selling of onerex cough syrup at Jyoti Medical Hall and on raid, the cough syrup to the tune of 4.5 liters were recovered/seized. The petitioner being the head of the said medical hall came into custody.

4. Learned counsel for the petitioner submits that he was working there, it is a medical hall, without checking the



bills, the FIR was lodged, in any case it is below the commercial quantity.

5. Learned APP opposes the prayer submitting that banned drugs were present at the time of raid though he concedes it is below the commercial quantity.

6. Considering the submissions of the parties, he has no criminal antecedent and is in custody since 15.05.2025, FIR is there, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, N.D.P.S., West Champaran, Bettiah, in connection with Inarwa P.S. Case No. 63 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his 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 and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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)

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