

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50272 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- SONBERSA District- Sitamarhi

Guddu Kumar Son of Ram Bharosh Rai Village- Ghoghraha Ps- Sahiyara
Dist- Sitamarahi

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Sonbarsa P.S. Case No. 176 of 2025 for the offence punishable under Section 21(C) of the NDPS Act lodged on 06.06.2025 by the informant, Ganesh Chakravarti.

3. As per the prosecution story, the informant alleged that on the basis of secret information, an Auto was intercepted. As the Auto tried to escape, the Police caught hold of it. The petitioner was inside the Auto and there is recovery/seizure of 220 bottles of codeine Syrup containing 100 ml. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent, is in custody since 07.06.2025 and the total quantity comes to 22 liters which is below the



commercial quantity, if granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer stating that the accused tried to escape but the Police finally caught hold of him and there is recovery/seizure 220 bottles of codeine syrup each containing 100 ml.

6. Considering the submissions of the parties as also the fact that he has no criminal antecedent, is in custody since 07.06.2025 and the recovered quantity of 22 liters is below the commercial quantity, 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 Sessions Judge cum Special Judge (NDPS Act), Sitamarhi, in connection with Sonbarsa P.S. Case No. 176 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;

(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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