

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55110 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- HARLAKHI District- Madhubani

Md. Sakil @ Mo. Shakil Rain, S/O Latif Miyan @ Md. Latif, Resident of
Village- Itharwa, Harlakhi, P.S.- Harlakhi, Dist.- 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.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-08-2025 Heard Mr. Bhavesh Kumar Sah, learned counsel

appearing on behalf of the petitioner and Mr. Bharat Lal, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Harlakhi P.S. Case No. 208 of 2024 registered for the
offence(s) punishable under Sections 20/22 of the NDPS Act.

3. As per the allegation made in the FIR, 150 bottles
of Triprolidine Hydrochloride and Codeine Phosphate Syrup
(100 ml. each) was recovered from the possession of one
Harshvardhan Mehra. Upon interrogation, the said accused
disclosed the name of the petitioner to have been involved in the
said illegal trade.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Harshvardhan Mehra and confessional statement made before police has no evidentiary value.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Harshvardhan Mehra and confessional statement made before police has no evidentiary value, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Madhubani in connection with Harlakhi P.S. Case No. 208 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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