

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58760 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- ADAPUR District- East Champaran

Chandrashekhar Kumar Son of Rajeshwar Mahato RO village- Gamhariya
khurd PS- Adapur District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Adv
	:	Ms. Shambhavi Priya, Adv
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Adapur P.S. Case No. 162 of 2025 registered for the offence under Sections 22(c), 23(c), 25 and 29 of the NDPS Act.

3. The petitioner is named in the F.I.R. and is in custody since 09.05.2025.

4. As per FIR, petitioner along with other co-accused persons found in possession of huge amount of tablets prohibited under NDPS Act.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is the driver of the vehicle from where the tablets were alleged to be recovered. It is submitted that he was not under knowledge of the consignment and, therefore, in want



of culpable mental state under Section 35 of the NDPS Act recovery of psychotropic substance cannot be said to be made from the conscious physical possession of this petitioner and, therefore, rigors of Section 37 of the NDPS Act not appears applicable in the present case. It is also pointed out that petitioner never found involved in such type of case earlier. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases where he is in on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that recovery of alleged tablets were made from vehicle where this petitioner was also present.

7. In view of aforesaid factual submission and by taking note of fact as prima-facie recovery of tablets not appears to be made from the conscious physical possession of this petitioner, coupled with fact as investigation of this case already completed where petitioner remains in custody since 09.05.2025, accordingly petitioner above named, is directed to be



released on bail in connection with Adapur P.S. Case No. 162 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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