

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59953 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Muzaffarpur

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Madhurendra Kumar @ Chhotan, aged about 53 years (Male), S/O Mahendra Ray @ Mahendra Rai, R/O Vill and Post.- Vrindavan, Ward No. 3, P.S.- Tariyani, Dist.- Sheohar.

... .. Petitioner

Versus

The Union Of India through NCB, Patna Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate and Mrs. Vaishnavi Singh, Advocate
For the Opposite Party	:	Mrs. Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-12-2025 Heard learned counsel for the petitioner and learned counsel for the U.O.I.

2. The petitioner seeks bail in connection with N.D.P.S. Case No. 75 of 2025, arising out of N.C.B. Case No. 04 of 2025 dated 24.04.2025 registered for the offences punishable under Sections 8(C) read with 18 (C), 25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, on 23.04.2025, NCB, Patna Unit, has seized total 2.450 kgs., of black colour sticky substance believed to be Opium from the carry bag/polythene from the possession of the co-accused Somari Devi at S.K.M.C.H., O.P. under Ahiyapur Police Station, Muzaffarpur.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no statutory compliance under the provision of N.D.P.S. Act in the present case. It is further submitted that the entire document is a table work and manufactured by the prosecution and from the forwarding report itself, it will be evident that no search and seizure memo was prepared on the place where the petitioner has allegedly shown to have been arrested and search-cum-seizure list itself goes to show the places are in front of 'Usha Guest House' and 'S.K.M.C.H., O.P.' It is further submitted that the seized contraband is less than commercial quantity. There is no recovery of Opium from the possession of the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 24.04.2025.

5. Learned counsel for the U.O.I. has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive



Special Judge-II (N.D.P.S.), Muzaffarpur in connection with
N.D.P.S. Case No. 75 of 2025, arising out of N.C.B. Case No.
04 of 2025 with further condition:-

(I) The petitioner is directed to remain
physically present before the learned court
below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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