

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59894 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- ANGARGHAT District- Samastipur

Santosh Kumar @ Santosh Patel Son of Late Shivdani Mahto R/o Village -
Sona Gopalpur, Ward No. 19, P.S. - Sampatchak, District - Patna, A/p LIG
Colony, Flat No. 395, Bhuth Nath Road, P.S. - Agamkuan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 15-11-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Angarghat P.S. Case No. 68 of 2025 registered for the offences punishable u/ss 28, 27(b) (ii), 27(d) of the Drug and Cosmetics Act and Sections 8, 21(c) and 22(b) of the NDPS Act.

3. As per the prosecution case, total 974 bottles of *Wiscodin Cough Syrup*, each containing 100 ml, were recovered from the Swift Dzire vehicle which was being driven by the co-accused Bittu Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is not



named in the F.I.R., and his name has been surfaced on the basis of confessional statement of the co-accused *Bittu Kumar* which has got no evidentiary value in the eye of law. It is next submitted that no incriminating article has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court vide order dated 27.08.2025 passed in Cr. Misc. No. 56230/2025. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is also submitted that the seized contraband is the commercial quantity i.e., 97.4 litres of wiscodin cough syrup. The co-accused has no valid authorization for keeping the said contraband.

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 Court concerned, Samastipur, in connection with Angarghat P.S. Case No. 68 of 2025, with a condition/s:-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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