

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65324 of 2025

Arising Out of PS. Case No.-357 Year-2024 Thana- RAXAUL District- East Champaran

Sonu Jaiswal Son of Jai Prakash Jaiswal Resident of Mohalla - Mishra Colony, Ward No. 04, O.P. - Haraiya, P.S. - Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Raxaul P.S. Case No. 357 of 2024 registered for the offences punishable under Sections 20(b)(ii)(c), 22(c), 23, 25 and 29 of the NDPS Act.

3. The prosecution case, in short, is that, there is recovery of 1.465 kg of Charas and huge quantity of intoxicant medicines from the possession of co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name



of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons as the supplier of the alleged contraband and the same has got no evidentiary value. Except confession of the co-accused person, there is no material against the petitioner. It is next submitted that the petitioner has got no concern with the alleged recovery of the seized articles. The petitioner is in custody since 03.07.2025 and has got one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner. Learned A.P.P. submits that the petitioner being a party to the criminal conspiracy, as also the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner except the confessional statement of the co-accused to show his involvement in the alleged offence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Raxaul P.S. Case
No. 357 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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