

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82574 of 2025

Arising Out of PS. Case No.-615 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Shubham Bhagat @ Shubham Kumar Bhagat Son of Anand Shekhar Bhagat
@ Anand Shankar R/o Binodpur, P.S. - Katihar, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2025 Heard Mr. Sanjeev Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Katihar Nagar P.S. Case No. 615 of 2024 for the offence punishable under Section 21(c) of the NDPS Act lodged on 29.08.2024 by the informant, Sushil Kumar.

3. As per the prosecution story, the informant alleged that Koshi Express was raided on secret information. During the search, a carton containing 150 liters of cough syrup recovered/seized. During the inquiry, it was found that this carton belongs to the petitioner who owns Manorama Enterprises at Binodpur. This led to the FIR.

4. Learned counsel for the petitioner submits that though he owns the pharmaceutical shop, the consignment does



not belong to him, only on suspicion, he has been made an accused and is in custody since 30.05.2025. The last submission is that the 150 liters of cough syrup is below the commercial quantity.

5. Learned APP opposes the prayer for bail though concede that the recovered amount is below the commercial quantity.

6. Taking into account the submission of the parties as also the period of custody and the petitioner do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of like amount each to the satisfaction of learned Court of Sessions Judge, Katihar in connection with Katihar Nagar P.S. Case No. 615 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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