

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1018 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- JANKINAGAR District- Purnia

Rohit Kumar, Male, aged about 25 years, Son of Manoj Yadav, Resident of
Village - Khunt Hatia, Tola Ward No.- 10, P.S.- Jankinagar, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Md Fazle Karim, learned counsel
appearing on behalf of the petitioner and Mr. Uma Shankar
Prasad Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jankinagar P.S. Case No. 399 of 2024, registered for the
offence punishable under Sections 8(c)/21(c) of the N.D.P.S.
Act.

3. As per the allegation made in the FIR, altogether 10
Bottles of Codeine Phosphate & Triprolidine Hydrochloride
WISCOF Cough Syrup, each containing 100 ml. total 1000 ml.,
was recovered from roadside.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Petitioner has no concern



with the alleged seized syrup. The place of recovery is an open place, which is roadside. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that nothing has been recovered from the conscious possession of the petitioner. The place of recovery is an open place, which is roadside. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Purnea, in connection with Jankinagar P.S. Case No. 399 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is



pending against the petitioner as what has been stated in
paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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