

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.669 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- JALALGARH District- Purnia

Niraj Yadav @ Niraj Kumar Yadav S/O Chandeshwari Yadav Resident of
Village - Ganeshpur, P.S- K. Nagar, Dist- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 24-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Jalalgarh P.S. Case No. 110/2024 registered for the offences
under Sections 8(c), 21(c) and 25 of the N.D.P.S. Act.

3. The prosecution case in nutshell is that A.S.I. of
Jalalgarh Police Station recorded a statement stating therein that
one Pick-up Van was inspected and on search, 510 litres of
Corex Cough Syrup was recovered from the same. The two
persons driving the said Pick-up Van were apprehended and they
disclosed their names as Niraj Yadav (petitioner) and Sawan
Kumar. The drivers have stated that the owner of the vehicle
was one Shankar Yadav. A mobile phone was also recovered
from the possession of the petitioner.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely because he is driver of the said vehicle. It is further submitted that the petitioner has no knowledge about the goods being loaded inside the Pick-up Van. Learned counsel further submits that the procedures provided under Sections 42 and 50 of the N.D.P.S. Act has not been complied. It is lastly submitted that the petitioner has clean antecedent and he is languishing in custody since 04.08.2024.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner and stated that that quantity recovered from the Pick-up Van which the petitioner was driving was commercial quantity and charge-sheet has also been submitted by the police, finding the case true against the petitioner and others.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner was only the driver of the said Pick-up Van from the which the Cough Syrup was recovered, he has got clean antecedent and is in custody since 04.08.2024, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Special Judge (N.D.P.S. Act), Purnea
in connection with Jalalgarh P.S. Case No. 110/2024 subject to
the following conditions :

- a. One of the bailors of the petitioner shall be
his close relative.
- b. The petitioner shall remain physically
present in Court on each date of the trial.
- c. If the petitioner's involvement is found in
similar nature of allegation after his release
and in case of absence on two consecutive
dates or in violation of the terms of the bail,
the bail bond of the petitioner will be liable
to be cancelled by the court concerned.

(Sourendra Pandey, J)

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