

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2392 of 2026

Arising Out of PS. Case No.-81 Year-2024 Thana- KUNALI District- Supaul

Arbind Kumar @ Arbind Yadav, Son of Yogindra Kherwar @ Yogindra Khaiwar, Resident of Village- Chaturbhuj, Piprahi, Ward No. 02, P.S.- Lokaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Kunauli P.S. Case No. 81 of 2024 Corresponding to NDPS Case No.66 of 2024(S) registered for the offences punishable under Sections 21(3), 22(c), 25, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, on secret information a commercial tempo was intercepted and on search a sack on the back seat of the tempo was recovered containing contraband medicines, which was said to be of commercial quantity.

4. The learned counsel for the petitioner submits that the petitioner's name has transpired in the confessional statement of the apprehended person, namely, Niraj Kumar



Yadav. It has further been submitted that no incriminating articles have been recovered from the conscious possession of the petitioner and moreover, the apprehended accused person, namely, Niraj Kumar Yadav as also Ravindra Das @ Rabindra Das @ Ravindra Kumar Das, has been granted bail by this Hon'ble Court. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 15.09.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kunauli P.S. Case No. 81 of 2024 Corresponding to NDPS Case No.66 of 2024(S), subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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