

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1907 of 2026

Arising Out of PS. Case No.-276 Year-2025 Thana- HARLAKHI District- Madhubani

Krishna Das Son of Ramdev Das, R/O Vilage- Depra Rupetha, Ward No. 20,
Janakpur Dham, P.S. Janakpur, Dist- Dhanusha, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the State : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Bhavesh Kumar Sah, learned counsel for

the petitioner and Mr. Rana Randhir Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
26.09.2025, in connection with Harlakhi P.S. Case No. 276 of
2025, G.R. No. 88 of 2025, F.I.R. dated 25.09.2025 registered
for the offences punishable under Sections 20/22 of the N.D.P.S.
Act.

3. The case relates to recovery of 39 bottles of Onerex
cough syrup (100 ml each), 22 capsules of Spasmo-Proxyvon
Plus and 23 tablets of I-SPA Pro.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. Although, some contraband has



been recovered from the bicycle of the petitioner but there is non-compliance of mandatory provisions of N.D.P.S. Act and the recovered contraband is less than the commercial quantity and there is no embargo of Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.09.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the recovered contraband is less than the commercial quantity, let the petitioner, above named, be released 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 learned Principal Sessions Judge, Madhubani in connection with Harlakhi P.S. Case No. 276 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the 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 antecedents, 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.

(Rajesh Kumar Verma, J)

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