

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6984 of 2026

Arising Out of PS. Case No.-168 Year-2025 Thana- JALALGARH District- Purnia

=====

Pawan Kumar Rajgarhia @ The Owner of Mata Transport S/o Deep Chandra Rajgarhia R/o Flat- 10B/C, 14/2 Burdwan Road, Alipore, Kolkata, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shri Prakash Tiwari, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Jalalgarh P.S. Case No. 168 of 2025 registered for the offences under Sections 8(c), 21(c), 25/29 of the N.D.P.S. Act.

3. As per the prosecution case, the allegation against the petitioner is that was the transporter of the narcotic substances which were recovered from a tempo and was being taken to Ahilgaon, when the same was intercepted.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely to coerce for extraneous consideration from the petitioner. It has been submitted that the name of the petitioner has surfaced on



the confessional statement of the driver of the tempo, namely, Deepak Kumar, who has alleged that he had carried the said consignment from the transport godown of the petitioner. It has next been submitted that not a single chit of paper has been brought on record to suggest that the said consignment was being carried from the said godown and the petitioner in fact is a transport agency having hundreds of branch office throughout the country and deals in *bonafide* purchase and sale of items. It has further been pointed out that the said seizure of Codeine cough-syrup has been presumed to be illegal, however, the same is also contrary to the Central Government's notification, which has been brought on record by way of Annexure-2. It has lastly been submitted that the petitioner has a clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds 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 Jalalgarh P.S. Case No. 168 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (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 anticipatory bail is allowed.

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

(Sourendra Pandey, J)

aditya/-

U			
---	--	--	--

