

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20311 of 2026

Arising Out of PS. Case No.-675 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

Shatrudhan Kumar S/O Ram Balak Singh R/O Vill.- Asurari, P.O- Bihat, P.S-
Barauni, Dist.- Bengusarai,851135

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Tiwari

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-04-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner for regular bail in connection with Excise P.S. Case No. 675 of 2023 registered for the offence under Sections 8(c), 21(c) and 29 of the NDPS Act. Earlier the bail application of the petitioner was rejected by this Court vide Cr. Misc. No. 11845 of 2024 dated 18.04.2024.

3. As per the prosecution case, 3080 liters of cough syrup containing codeine have been recovered from a truck. Petitioner is in custody since 5.10.2023 and has clean antecedent.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is



further submitted that the petitioner was merely a driver and had no knowledge of the goods being transported illegally. Learned counsel also contends that it is the duty of the owner of the truck and the transporter, and not of the driver or helper to be aware of the nature of the goods being carried. The petitioner undertakes to cooperate in the investigation and trial. It is further submitted that although the charge was framed on 22.08.2024, out of four witnesses, only two prosecution witnesses have been examined till date.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, the period of custody and the delay in the trial, this application for regular bail is allowed.

7. Accordingly, 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 Excise P.S. Case No. 675 of 2023 subject to condition that:-

(i). The petitioner will mark his attendance at the Barauni Police Station on every Sunday of each month. Any default in



appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii) The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

(iii). One of the bailors shall be a close blood relative of the petitioner.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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