

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16912 of 2026

Arising Out of PS. Case No.-5 Year-2025 Thana- JITNA District- East Champaran

Surendra Prasad @ Surendra Prasad Jaiswal Son of Late Gopal Prasad @
Late Gopal Prasad Jaiswal Resident of Mohalla - Purnahiya Kothi, Ward No.-
6, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jagjit Roshan, Advocate Mr. Prashant Raj, Advocate Mr. Shashank Shekhar, Advocate Mr. Anjani Kumar, Advocate
For the Opposite Party/s :		Mr.Aditya Narayan Singh.1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jitna
P.S. case No. 05 of 2025 (N.D.P.S. Case No. 187 of 2025)
instituted for the offences under Sections 21(c), 22, 25, 29 of the
N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 296 pieces of Noophin Injection (2 ml each), 297 pieces of
Phenargan Injection (2 ml each), 297 pieces of Diazepam
Injection (2 ml each) from the possession of co-accused Vikash
Kumar Yadav.

4. Earlier the anticipatory bail application of the



petitioner has been rejected by this Bench vide order dated 31.10.2025 passed in Criminal Miscellaneous No. 56426 of 2025 considering the nature of accusation made against the petitioner.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case due to connivance of local medical dealers with the investigating agency. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of the confessional statement of the apprehended co-accused Vikash Kumar Yadav recorded before the police which has no evidentiary value in the eye of law. Charge-sheet has been submitted in this case. Petitioner is in custody since 06.11.2025 and has no criminal antecedent. The petitioner is a businessman who deals in Pharmaceutical/Medicine and the name of the Firm of the petitioner is 'Satyam Enterprises' having valid License. The Police team raided the house of the petitioner in the mid night in the absence of petitioner. There is no allegation of tampering of witnesses alleged against the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further



submits that the co-accused Satyam Jaiswal @ Satya Jaiswal has already been granted bail by this Bench vide order dated 02.09.2025 passed in Cr. Misc. No. 19261 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the State further submitted that the petitioner is engaged in sale of prohibited psychotropic substance, which are dangerous and injuries to the society as a whole and, thus, the petitioner does not deserve bail.

7. Considering the aforesaid facts and circumstances of the case, clean antecedent, the period of custody undergone by the petitioner as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jitna P.S. case No. 05 of 2025 (N.D.P.S. Case No. 187 of 2025).

(Rudra Prakash Mishra, J)

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