

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22223 of 2026

Arising Out of PS. Case No.-79 Year-2024 Thana- JOGBANI District- Araria

Pardhum Das @ Pradhumn Das S/o Bahuran Das R/o Village - Indra Nagar,
Ward No. 10 (Tikuliya Basti), P.S - Jogbani, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh, Advocate
	:	Mr. Bishwajeet Singh, Advocate
	:	Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s :	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard Mr. Bijay Prakash Singh, learned counsel for
the petitioner as well as Mr. Syed Mojibur Rahman, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.04.2024 in Jogbani Case No. 79 of 2024, F.I.R. dated
13.04.2024 for the offences punishable under Sections 21 (c)
and 22(c) of the Narcotic Drugs & Psychotropic Substance Act,
1985.

3. Recovery is of 5 liters of Codeine rich Eskuf cough
Syrup. Earlier the bail application of the petitioner was rejected
twice vide order dated 07.08.2024 and 14.02.2025 in Cr. Misc.
No. 48961 of 2024 and Cr. Misc. No. 1774 of 2025.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that altogether 50 bottles of Codeine rich Eskuf cough Syrup, each bottles contains 100 ml each was recovered from the possession of the petitioner. He further submits that there is non-compliance of the mandatory provision of Sections 42 and 50 of the N.D.P.S. Act and it appears that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S Act for grant of bail to the petitioner. He further submits that the police after investigation submitted the charge sheet. The petitioner is in custody since 13.04.2024 i.e. for more than two years.

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

6. Considering the aforesaid facts and circumstances , 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 Session Judge-cum-Special Judge, NDPS, Araria in connection with Jogbani Case No. 79 of 2024, subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 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.

(Rajesh Kumar Verma, J)

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