

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35387 of 2026

Arising Out of PS. Case No.-56 Year-2025 Thana- JOGBANI District- Araria

Sanjeet Kumar S/O Shiv Shankar Chaudhary R/O Khajur Badi, Ward no. 7,
Haripur, P.S.- Jogbani, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 21-07-2026 Heard Mr. Dheeraj Kumar, learned counsel for the

petitioner and Mr. Anil Kumar Singh No.1, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with Jogbani P.S. Case No.56 of 2025, dated 22.05.2025, registered for the offence punishable under Sections 21/22 of the NDPS Act and 3/13 of the Foreign Exchange Management Act.

3. As per the FIR, acting on secret information, the police conducted a raid at the house of co-accused Madina Khatoon and recovered 3 grams of brown sugar from beneath a bed. Though she admitted that the recovered substance was brown sugar, she disclosed that it belonged to her sister. During the search, the police also recovered Indian currency amounting to Rs.1,26,600/- along with several foreign currencies from the house.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that, as is evident from the FIR itself, the entire recovery of the alleged contraband and foreign currencies was effected from the joint family house, and no recovery was made from the constructive possession of the petitioner. It is further submitted that the petitioner is not named in the FIR and his name surfaced only during the course of investigation on the basis of the alleged confessional statement of the co-accused, Madina Khatoon, who, according to the learned counsel for the petitioner, is not related to the petitioner. It is further submitted that the said co-accused, from whose possession the recovery was allegedly effected and who was taken into judicial custody, has already been granted bail by a Coordinate Bench of this Court vide order dated 08.08.2025 passed in Cr. Misc. No.48069 of 2025. Lastly, it is submitted that the petitioner has one criminal antecedent, which is not akin to the present case, and he has already been granted bail therein.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, particularly that the seized articles were not recovered



from the constructive possession of the petitioner, his name surfaced only on the basis of the alleged confessional statement of the co-accused, and the said co-accused, from whose possession the recovery was allegedly effected, has already been taken into judicial custody and granted bail by a Coordinate Bench of this Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS, Araria/Successor Court in connection with Jogbani P.S. Case No.56 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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