

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37537 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- JHAROKHAR District- East Champaran

Gulshan Kumar S/o Jaygopal Das Resident of Village- Basatpur Colony, P.O.-
Rupdih, P.S. -Mufassil, Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brisketu Sharan Pandey, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr.Brisketu Sharan Pandey,learned counsel for

the petitioner and Mr.Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
02.02.2026 in connection with Jharokhar P.S. Case No. 16 of
2026, F.I.R. dated 01.02.2026 registered for the offence
punishable under Sections 22(C),23(C),25 of N.D.P.S.Act.

3. Recovery is of 495 packets of Tormol-50
(intoxicant tablets).

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR. In fact
nothing has been recovered from conscious possession of the



petitioner rather the police has planted the same and shown the recovery has been made from possession of the petitioner. In fact the petitioner is delivery boy of M/s Ram Medical Hall and he has no concern at all with the alleged occurrence and he has been made accused in the present case due to instance of the local police and for the similar set of allegation, similarly situated co-accused person, namely, Tapas Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 15.06.2026 passed in Cr. Misc. No.36975 of 2026 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.02.2026.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and similarly situated co-accused person, namely, Tapas Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court, 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 learned Sessions/Special Judge, East Champaran, Motihari in connection with Jharokhar P.S. Case No. 16 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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