

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34768 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- SONBERSA District- Sitamarhi

Sriram Kumar @ Sriram @ Shree Ram Kumar Son of Lalbabu Das Resident
of Village- Ramnagra Ward No 10, PS- Kanhauli, District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the State : Ms. Rina Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 21(c) of the N.D.P.S. Act.

3. As per the prosecution case, there is recovery of
two liters of Wings Onrex syrup (20 bottles of 100 ml each)
containing Codeine Phosphate, from a motorcycle repairing shop.

4. Learned counsel for the petitioner has submitted
that the petitioner runs a motor vehicle repairing shop and the
police recovered 20 bottles of 100 ml each i.e. 2 liters of cough
syrup containing Codeine Phosphate, kept in a bucket in the
petitioner's shop. It is also submitted that there were several
customers also present in the shop and the petitioner being the
owner of the shop, has been made an accused in the present case.
It has further been submitted that there is no independent witness



to the search and seizure, as such, there is violation of the mandatory provisions of the B.N.S.S. The petitioner has been languishing in custody since 13.03.2026 having clean antecedent, charge sheet has been submitted and the investigation has almost come to a close.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that there is violation of mandatory provisions of search and seizure coupled with the fact that the petitioner has no criminal antecedent, let these above petitioners, be released on bail 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 (N.D.P.S. Act) Sitamarhi/concerned Court below in connection with Sonbarsa P.S. Case No. 75 of 2026.

(Soni Shrivastava, J)

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