

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35992 of 2026

Arising Out of PS. Case No.-89 Year-2025 Thana- Bhimnagar District- Supaul

OM PRAKASH CHOUDHARY S/o Laxman Choudhri @ Lakshman
Choudhary Resident of village- Bhimnagar ward no 11, Ps- Bhimnagar,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 8(c), 21(a), 21(b) and 22(b)
of the N.D.P.S Act.

3. As per FIR, 118 pieces of Spasmo Proxyvon Plus, 4
pieces of Wiscodin Syrup and 0.67 gram of Brown Sugar has
been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that
from the House of the petitioner, a recovery of 118 pieces of
Spasmo Proxyvon Plus medicine and 4 pieces of Wiscodin
Syrup and 0.67 grams of Brown Sugar is shown to have been
recovered. However, the said recovery has not been made in
presence of any independent witness as such, the mandatory



provisions of search and seizure have been violated. It is further submitted that the charge-sheet has been submitted in this case without the FSL report and the petitioner with no criminal antecedent is languishing in custody since 7.11.2025.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the fact of recovery of small quantity of brown sugar that too not from his personal or conscious possession coupled with the fact that the petitioner has clean antecedent and charge-sheet has already been submitted, let the above named petitioner, who has no criminal antecedent, be enlarged 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 court below where the case is pending/successor court in connection with N.D.P.S. Case No. 119/2025.

(Soni Shrivastava, J)

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