

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36975 of 2026

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

Tapas Kumar S/O Dayal Chandra Das Resident of village - Basantpur Colony,
Ward no- 14, P.S- Muffasil, Dist- East Champaran

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 22(c), 23(c) and 25 of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from an e-riksha, altogether 495 packets of Tormol-50 (each of 300 tablets) were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of this petitioner. It has further been submitted that the witnesses of the seizure list are police



personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. It has further been submitted that from perusal of the seizure list it will transpire that it does not contain the signature of the petitioner. It has further been submitted that during course of investigation, the police has recorded the confessional statement of this petitioner wherein he has has stated that he was just a passenger in that e-riksha and that he was having no knowledge regarding the contraband. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 02.02.2026.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with Jharokhar P.S. Case No.16 of 2026.

(Ashok Kumar Pandey, J)

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