

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38432 of 2026

Arising Out of PS. Case No.-271 Year-2021 Thana- JOGBANI District- Araria

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Bablu Kumar @ Bablu Kumar Sah S/O Mahendra Sah @ Mahendra Soni
Resident Of Village - Khajurbari , Ward No.- 15 Police Station - Jogbani,
District - Araria

... .. Petitioner/s

Versus

The state of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-06-2026 Heard Mr. Ramesh Kumar Singh, learned counsel

for the petitioner and Mrs. Veena Kumari Jaiswal, learned APP

for the State.

2. Petitioner seeks bail, who is in custody since
19.04.2026, in connection with Jogbani P.S. Case No. 271 of
2021, F.I.R. dated 01.12.2021 registered for the offences
punishable under Section 30(a) of Bihar Prohibition & Excise
Act, 2016.

3. Recovery is of 59.00 litres of *Codeine contain*
Dialex DC Cough Syrup.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that initially the petitioner was



not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis that one motorcycle was recovered from the place of occurrence and petitioner happens to be the owner of the motorcycle in question and except the aforesaid, nothing cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that co-accused person namely, Niraj Kumar Sah has been granted bail by this Court vide order dated 10.05.2022 passed in Cr. Misc. No. 278 of 2022. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the petitioner, above named, 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



learned Exclusive Special Judge Excise-II, Araria in connection with Jogbani P.S. Case No. 271 of 2021, subject to the following conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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