

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39463 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- BASANHI District- Saharsa

Vikash Kumar @ Bikash Kumar @ Sanjeev Kumar S/o Vijendra Yadav
resident of Village - Geruaha, P.s. and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Basnahi P.S Case No. 25 of 2026, for allegedly having committed offences under Sections 8 and 21(c) of the NDPS Act.

3. As per the prosecution story, which has been lodged on the basis of written report submitted by the informant to the effect that on the date of occurrence, he received a secret information that Codeine Cough Syrup is being brought in a Scorpio from Malichauk Khagaria. To verify the genuineness of the said information, the informant along with police party started checking vehicles. He found one Scorpio bearing registration no. BR19V4169 coming from opposite direction



and when he tried to stop the vehicle, the driver fled away with the vehicle. However after some chase, the driver along with vehicle was apprehended and the driver disclosed his name as Md. Hasim. During course of search, total 180 liters of Corex syrup was seized from the vehicle along with one smart-phone from the driver of the said vehicle.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he has got no concern with the seized Corex syrup. He further submits that since the petitioner is the owner of the vehicle in question, from which the Corex syrup has been recovered, he has been made accused in the present case. The petitioner was not aware about the fact that the driver was supplying Corex syrup in the vehicle. He further submits that nothing has been recovered from the possession of the petitioner and the driver has even not named the petitioner, rather the driver in his confessional statement has stated that he along with Mukesh Kumar, who is the cousin brother of the petitioner herein, were supplying Corex syrup in the vehicle and the same was to be handed over to one Manish Kumar. He further submits that the petitioner is an accused in one another case bearing Excise Special Case No. 421 of 2017, in which he is on bail.



5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner is an accused in one another case relating to Excise Act and therefore, he does not deserve the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that 180 liters of Corex Syrup was recovered from the Scorpio vehicle and the driver of the vehicle was arrested at the place of occurrence itself. He named one Mukesh Kumar in his confessional statement as his associate and the name of the petitioner has come in the present case, since he is the owner of the Scorpio vehicle in question, from which 180 liters of Corex syrup has been released. Apart from the same, nothing has been alleged against the petitioner. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal District and Sessions Judge, Saharsa in connection with Basnahi P.S. Case No. 25 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S, with further condition:



(1) The learned Court concerned 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 concerned shall take steps 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.

(Ritesh Kumar, J)

Mridula/Pallavi

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