

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51612 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- BYPASS District- Patna

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1. Nitish Kumar S/o Naresh Ram Resident of Suryapura, P.S. - Athmalgola, District-Patna.
 2. Ankit Kumar S/o Raj Kishore Ram R/o Nurnagar, P.S. - Harnaut, Dist. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Naman Kumar Sinha, Advocate
For the State	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners, Mr. Naman Kumar Sinha along with Mr. Satya Nand Shukla, learned A.P.P. for the State.

2. This application is filed for grant of regular bail to the petitioners who have been made accused in connection with Bypass P.S Case No. 114 of 2026 instituted for the offence punishable under Section 21(c) of N.D.P.S. Act.

3. The prosecution story, in short, is that, during the course of patrolling, the police intercepted a red-coloured tempo bearing Registration No.- BR01GK0824, from which a large quantity of illegal codeine-based cough syrup was recovered. Thereafter, both of these petitioners were apprehended.

4. Learned counsel for the petitioner submits that the



petitioners are innocent and they have been falsely implicated in this case. It has further been submitted that the petitioners are engaged in the work of transporting medicines in the ordinary course of business and they had no knowledge whatsoever regarding the contents of the cartons being transported.

5. It is submitted that the petitioners are neither the owner of the vehicle nor the owner of the alleged contraband. They were the driver and the conductor of the intercepted vehicle. The entire prosecution case rests upon the alleged recovery from the vehicle and not from the conscious possession of the petitioners.

6. It has been submitted that in the present case, no FSL report is on record and no quantitative chemical analysis or purity percentage of the alleged cough syrup has been brought on record by the prosecution.

7. It has further been submitted that the petitioners have no connection with the alleged occurrence and the alleged recovered articles. The alleged sections are not attracted against the petitioners because they have not committed such type of offence, rather there is general and vague allegation against them.

8. Learned counsel for the petitioners submits that the



petitioners are in custody since 27.03.2026 and they are having clean antecedents.

9. Considering the facts and circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Exclusive Court NDPS, Patna in connection with Bypass P.S Case No. 114 of 2026, subject to following conditions:-

(i) One of the bailors should be family member of the petitioners.

(ii) Petitioners will co-operate in the trial and will remain present on all dates personally or should be duly represented through their counsel and whenever required to be physically present by the court, they should physically appear in the Court on that date.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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