

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70455 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- Lalmatia District- Bhagalpur

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1. Pramod Choudhary, Son of Late Ramdeo Choudhary, R/oVill. - Pai Tola Lalmatia, P.S. - Lalmatia, Dist. - Bhagalpur.
 2. Vikash Choudhary, Son of Pramod Choudhary, R/oVill. - Pai Tola Lalmatia, P.S. - Lalmatia, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 21-01-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners seek bail in connection with Lalmatia P.S. Case No. 99 of 2025 dated 30.07.2025 registered for the offence punishable under Sections 8, 8(c), 17(b), 18(b), 21(b) and 22 of the Narcotic Drugs and Psychotropic Substance Act.

3. Allegation is of recovery of 31.92 gm brown-sugar like substance as well as other incriminating materials from the house of Pramod Choudhary where petitioner no. 2, namely, Vikash Kumar @ Appu and co-accused Sagar Kumar were also present. All the persons were arrested.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. It is submitted that nothing has been recovered from conscious possession of the petitioner, rather, the said articles were recovered from a house, which belongs to Pramod Choudhary. It is further submitted that the seizure list has been prepared on 30.07.2025 at 17:25 hrs but the registration of F.I.R. was on 30.07.2025 at 18:35 hrs which clearly shows that the petitioner has been falsely dragged in this case due to non-fulfillment of illegal demands of the police officials and the said seizure list has been prepared in the teeth of N.D.P.S. Act without following the mandatory provision of the N.D.P.S. Act. It is further submitted that the seized brown-sugar like substance is intermediate quantity of narcotic substance and the charge-sheet has been filed without F.S.L. report. The petitioners are in custody since 31.07.2025, having one criminal case against petitioner no. 1 and two criminal cases against petitioner no. 2 of similar nature and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the



petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Principal Sessions Judge, Bhagalpur in connection with Lalmatia P.S. Case No. 99 of 2025, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or their wife.

3. The bailor shall also state on affidavit that he/she will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioners within two weeks of their release from custody shall appear before the S.H.O. of their local area alongwith a copy of this order and shall appear every fortnightly to mark their



attendance till the framing of charge in the trial court.

(Khatim Reza, J)

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