

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71733 of 2025

Arising Out of PS. Case No.-333 Year-2025 Thana- CHIRAIYA District- East Champaran

Shatrudhan Thakur S/o Bhanu Thakur R/o Village- Bairiya, P.S.-
Ramgadhwa, District- 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 : Mrs. Renuka Ratnakar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 8(c), 17 (c), 18(c), 21(c), 29 and 31 of the N.D.P.S. Act and Section 111 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, there is recovery of 509 grams of smack from the pocket of co-accused, Prakash Kumar.

4. It is submitted by learned counsel for the petitioner that it would be evident from the bare perusal of the first information report that there is no recovery whatsoever from the personal or conscious possession of the petitioner, rather the recovery of the contraband has been made from the



possession of the co-accused, Prakash Kumar. Further, the said seizure has also not been made in presence of the independent witnesses thereby violating the provisions of search and seizure. The petitioner is a young boy, who was merely sitting on the motorcycle along with the co-accused, Prakash Kumar, having no knowledge about any smack, has no criminal antecedent and has been languishing in custody since 02.08.2025.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that there is no recovery from the personal possession of the petitioner and is in custody since 02.08.2025 with no criminal antecedent, the above named petitioner is directed to be enlarged 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 the learned Court below where the case is pending/successor Court in connection with Chiraiya P.S. Case No.333 of 2025, subject to the conditions that :

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall remain physically present in



court on each and every date till the framing of charge and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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