

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77576 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- BELA District- Sitamarhi

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Sheikh Parvej S/O Chhote @ Md. Chhote @ Md. Chote R/O Machhpakauni,
Ward No. 7, P.S- Bela, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Madhubala Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mrs. Madhubala Verma, learned counsel for

the petitioner and Mr. Amitesh Kumar, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
24.08.2025, in connection with Bela P.S. Case No. 180 of 2025,
F.I.R. dated 23.08.2025 registered for the offences punishable
under Sections 21(c) of the N.D.P.S. Act.

3. The case relates to recovery of 120 bottles each of
100 ml ONEROX cough syrup containing codeine.

4. Learned counsel for the petitioner submits that it
appears from the F.I.R. as well as seizure list that nothing has
been recovered from the possession of the petitioner rather
recovery has been made from the house of co-accused person
namely Md. Shabir @ Raja who happens to be the brother of



petitioner and petitioner has been made accused on the basis of suspicion that he was fled away from the place of occurrence and the said co-accused person, namely, Md. Shabir @ Raja has been granted bail by a Coordinate Bench of this Court vide order dated 15.01.2026. She further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 24.08.2025.

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 two more cases of similar nature but fairly submits that the petitioner has not been remanded in the second case i.e. Bela P.S. Case No. 13 of 2025 under Section 21(c) of the N.D.P.S. Act.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and co-accused person has been granted bail by a Coordinate Bench of this Court, 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 Sessions Judge-cum-Special Judge (N.D.P.S.) Act, Sitamarhi in connection with Bela P.S. Case No. 180 of 2025, 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.

(Rajesh Kumar Verma, J)

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