

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84091 of 2025

Arising Out of PS. Case No.-188 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

Md. Chhote @ Md. Salim @ Md. Zasim Md. Abbas @ Md. Abbash Resident
of Village - Khajasarai, Police Station - Leheriasarai, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-02-2026 Heard learned counsel for the petitioner, learned APP for
the State and perused the case diary.

2. The petitioner seeks bail in connection with
Laheriasarai (L.Sarai) P.S. Case No. 188 of 2025, instituted for
the offences punishable under Sections 21(c) and 29 of the
NDPS Act.

3. Prosecution allegation, in short, is that there is recovery
of 60 bottles of Onerex cough syrup (100 ml. each) from the
house of the brother of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. The alleged recovery has been made from the house of co-accused, namely, Md. Bare @ Md. Nasim and the petitioner is the brother of co-accused person. The petitioner is in custody since 04.09.2025 and has got three criminal antecedents. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that total 6 liters cough syrup has been recovered in this case.

6. Considering the aforesaid facts and circumstances of the case and specifically taking into account the fact that recovery is made from other co-accused person, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laheriasarai (L.Sarai) P.S. Case No. 188 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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