

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85970 of 2025

Arising Out of PS. Case No.-303 Year-2025 Thana- BACHHWARA District- Begusarai

Gaurav Kumar @ Golu Son of Santosh Choudhary R/O Vill-
Raghunandanpur, P.S.- Bhagwanpur Teyay, O.P., District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Adv.

Mr. Pramod Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Bachhwara P.S. Case No. 303 of 2025 (NDPS Case No. 58 of 2025) dated 21.08.2025 registered for the offence(s) punishable under Section(s) 21 and 22 of the N.D.P.S. Act.

3. As per the prosecution case, on receiving the secret information that the petitioner along with the co-accused, Vikram Kumar was involved in the business of Korax Cough Syrup in the mango orchard of Vikram Kumar. The police conducted a raid and apprehended one person who disclosed his name as Gaurav Kumar @ Golu (petitioner). On search, total 3.7 litres of cough syrup was recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and no such recovery has been made from the conscious possession of the petitioner. It has next been submitted that admittedly the place where the recovery has been made was a mango orchard which is an open place and accessible to anyone. Learned counsel has further submitted that it was the petitioner who was apprehended at the place of occurrence which was not the case. It has next been submitted that none of the provisions of search and seizure under the N.D.P.S. Act has been followed by the police. It has lastly been submitted that the petitioner has one criminal antecedent which is under excise act and he is in custody since 23.08.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Bachhwara P.S. Case No. 303 of 2025 (NDPS Case No. 58 of 2025), subject to the following terms and conditions :-



(i) One of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court 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 trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(v) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Begusarai, within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail



of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Gautam/-

U		T	
---	--	---	--

