

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85535 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- SAKRI District- Madhubani

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Amit Kumar Mandal, Son of Manoj Mandal @ Manoj Kumar Mandal, R/o
village - Kanhauli, Ward No.- 2, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Addl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard the learned counsel for the petitioner and the

learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in
connection with Sakri P.S. Case No. 163 of 2025 registered for
the offence(s) punishable under Section(s) 08, 21(c) and 22(c)
of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, the police got a
secret information that co-accused/Dharmendra Kumar Sah @
Lapo Sah was dealing in prohibited syrups. On such
information, the police conducted a raid and apprehended two
persons, namely, Amit Kumar Mandal (the petitioner) and Ravi
Kumar Paswan. On enquiry, the apprehended persons disclosed
that they were asked by the co-accused/Dharmendra Kumar Sah



to remove the said substance on his behalf.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has no concern whatsoever with the recovered cough syrups. It has next been submitted that even from perusal of the F.I.R., it would be evident that the police had the input about the co-accused/Dharmendra Kumar Sah and from the statement of the apprehended persons, including the petitioner, it would be clear that they were merely acting as labourers on behalf of co-accused/Dharmendra Kumar Sah and they were not aware about the contents kept in the sack. It has lastly been submitted that the petitioner carries no criminal antecedent and he is in custody since 05.09.2025.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 05.09.2025, let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (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 Sakri P.S. Case No. 163 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his



close relative and the other shall be a local resident.

(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 for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. 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.

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)

Praveen-II/-

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