

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89030 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- SONBERSA District- Sitamarhi

Manjeet Kumar @ Manjit Kumar S/o Late Rajnandan Mandal Resident Of
Village- Kihbarwa, P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Alok Kumar Jha, learned counsel for the

petitioner and Mr. Jai Narain Thakur, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa P.S. Case No. 227 of 2025, F.I.R. dated 29.07.2025 for the offences punishable under Section 21(c) of the NDPS Act.

3. Recovery is of 20 bottles of Ofrex containing codeine phosphate which is approximately 2 liters.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of the disclosure made by the apprehended co-accused, namely, Manjeet Kumar. The prosecution searched the house of the petitioner where 20



bottles of Ofrex containing codeine phosphate which is approximately 2 liters are recovered. He further submits that there is non-compliance of the mandatory provision of Sections 42 and 50 of the N.D.P.S. Act and it appears that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S. Act for grant of anticipatory bail to the petitioner.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sonbarsa, Sitamarhi in connection with Sonbarsa P.S. Case No. 227 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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