

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91668 of 2025

Arising Out of PS. Case No.-233 Year-2025 Thana- KRITYANAND NAGAR District-
Purnia

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Pradeep Kumar Son of Bhagavan Yadav @ Bhagwan yadav Resident of
village- Pothiya Jhunni Kala, Ps- K. Nagar, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-03-2026 Heard Mr. Bipin Kumar, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
25.09.2025, in connection with Special (N.D.P.S.) Case No. 270
of 2025, arising out of K. Nagar P.S. Case No. 233/2025, F.I.R.
dated 25.09.2025 for the offences punishable under Sections
8(c) & 21(c) of the N.D.P.S. Act.

3. Recovery is of 49 bottles each of 100 ml. Codeine
Phosphate & Triprolidine HCL Syrup.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR/seizure list that 49 bottles each of 100 ml. Codeine syrup was recovered from the possession of the petitioner and other co-accused persons. He further submits that there is non-compliance 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 bail to the petitioner. Similarly situated co-accused person, namely, Aman Kumar who was apprehended along with this petitioner has been granted regular bail by this Court vide order dated 27.01.2026 passed in Cr. Misc. No. 3676 of 2026. He further submits that Police after investigation submitted charge-sheet against the petitioner and the petitioner is in judicial custody since 25.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent and the recovered contraband is less than the commercial quantity and similarly situated co-accused person, namely, Aman Kumar has



been granted regular bail by this Court, let the petitioner, above named, 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 District and Additional Sessions Judge-II-cum-Special Judge, N.D.P.S. Act, Purnea/ appropriate court below in connection with Special (N.D.P.S.) Case No. 270 of 2025, arising out of K. Nagar P.S. Case No. 233/2025, with the 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 her absence on two consecutive dates without sufficient reason, his/her 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)

Ranjeet/-

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