

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12542 of 2019

Arising Out of PS. Case No.-75 Year-2018 Thana- JAMALPUR RAIL P.S. District- Munger

Sanoj Kumar Rai @ Sanoj Rai, aged about 35 years, Gender – Male, S/o Late Ram Ekbal Rai, Resident of Village- Rampur Dumri, P.S.- Kathara (O.P.) Garaul, Dist-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 22.10.2018 in a case registered for the offences punishable under Sections 22(b)/25(A) of NDPS Act and Sections 27(b) (II)/28 of Drugs and Cosmetics Act.

The prosecution case as per the written report of Sushil Kumar, Drug Inspector, Munger submitted to the Station House Officer of GRP Jamalpur is to the effect that on 14.08.2018, Sujit Kumar Yadav, Inspector Incharge of R.P.F. Post, Jamalpur informed the informant that in the Pantry Car of Train No. 13484 DN (Farraka Express) codeine contained drugs are being transported, whereupon raid was laid, and 3742 bottles



of 100 ml each Cosme-LCD Syrup were recovered. It is alleged that the petitioner was the Manager of the Pantry Car of the said train.

It is submitted by learned counsel for the petitioner that during enquiry conducted by RPF Post Jamalpur and Drug Inspector, Munger in seized Syrup the quantity of codeine has been found 0.75 kg which is small quantity. It is further submitted that the petitioner was not present in the Pantry car of the said train when the raid was laid and petitioner has falsely been roped in the present case since he happens to be the Manager of the Pantry car. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was the Manager of the alleged Pantry car and recovery has been made from the Pantry car, but he concedes that the percentage of codeine in seized syrup is of small quantity.

Considering the fact that the percentage of codeine in seized medicine has been found to be small quantity and the investigation has already been concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named



petitioner 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 learned Sessions Judge, Munger in connection with Jamalpur Rail P.S. Case No. 75 of 2018.

(Dinesh Kumar Singh, J)

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