

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5212 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- JALALGARH District- Purnia

Md. Pappu Son of Md. Tauhid Resident of Village - Rahua, Ward No. 16,
P.S.- Baunsi Basaithi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Adv.
		Mr. Mohammad Sufyan, Adv.
For the Opposite Party/s	:	Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-03-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Jalalgarh P.S. Case no. 126 of 2020 registered under sections 272 and 273 of the Indian Penal Code, section 21(a)(b) of NDPS Act and section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, the two accused persons coming on a motorcycle were caught while the third accused person managed to escape. It is stated that 75 bottles of 100 ml each of Syrup containing Codeine Phosphate were recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the



possession of the petitioner. It is submitted that even accepting the allegations levelled in the FIR, the quantity of Codeine could not be ascertained and in any case the quantity would be very small. The petitioner has no criminal antecedent, he is in custody since 13.10.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations levelled in the FIR together with the quantity of recovery, percentage of Codeine being one of the elements in the syrup being transported and the period in custody, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Jalalgarh P.S. Case no. 126 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS Act, Purnea.

(Partha Sarthy, J)

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