

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9650 of 2022

Arising Out of PS. Case No.-332 Year-2021 Thana- LAUKAHA District- Madhubani

Parusram Gupta @ Parusram Prasad Son Of Surya Narayan Prasad Resident
Of Dhunki, Police Station - Laukaha (Lalmania O.P.), District - Madhubani.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in connection with Laukha
(Lalmunia) P. S. Case No.332 of 2021, instituted for the offences
under Section 30(a) of the Excise Act and Sections 21, 27 of the
N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 23.12.2021, charge-sheet has been
submitted in this case and has antecedent of two cases.

Allegation is of recovery of 13.3 litre of Diallex-DC syrup
from a tempo.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot. The learned counsel
submits that petitioner has been arrested based on the confessional
statement of the accused, who was arrested from the tempo. The



learned counsel further submits that the Diallex-DC contains codeine and codeine is not a narcotic in terms of the N.D.P.S. Act.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and was not arrested from the spot and his name came based on the confessional statement of co-accused has submitted that codeine is not a narcotic, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Madhubani in connection with Laukha (Lalmania O.P.) P. S. Case No.332 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Surya Narayan Prasad and in the event, if the petitioner is implicated in a case of similar nature and the same comes to the notice of the learned Court below, the learned Court below shall forthwith cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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