

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31273 of 2022

Arising Out of PS. Case No.-416 Year-2021 Thana- PUPRI District- Sitamarhi

MD. SHAKIR HUSSAIN Son of Md. Jakir Hussain Resident of village -
Pupri, P.S.- Pupri and District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in a case registered for the
offence punishable under Section 21(a) of the NDPS Act.

Allegedly from the possession of this petitioner and co-
accused codeine containing cough syrup total 15 pieces, Alprazalam
tablets and other drug tablets were recovered and as per allegation,
petitioner and his wife indulged in mixing the recovered drugs in tea
which was supplied to the customers.

The main submissions advanced by Sri Anil Kumar,the
learned counsel appearing for the petitioner are that the seized cough
syrup and other tablets comes under the purview of very small
quantity for which maximum punishment is one year and the
petitioner has almost undergone major period of maximum



imprisonment, investigation has been completed and the petitioner has been languishing in jail since 14.3.2022.

Ms. Gulnar Begam, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR as well as seizure list. The petitioner has taken plea that the alleged cough syrup and other tablets does not come under the purview of commercial quantity and as per submission, investigation has been completed and the petitioner has been languishing in jail since 14.3.2022 and the petitioner's plea in regard to alleged recovered contraband being in small quantity has not been refuted by learned counsel for the State.

Considering these facts and custody period of the petitioner, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the 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 the Chief Judicial Magistrate, Sitamarhi in Pupri P.S Case No. 416 of 2021.

(Shailendra Singh, J)

s.hassan/-

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