

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40005 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- SONBERSA District- Sitamarhi

1. Guddu Khan S/O Late Manjur Khan Resident Of Village - Nawalpur, P.S. - Malangwa, Dist. - Sarlahi (Nepal).
2. Ibran Khan S/O Late Jahur Sheikh Resident Of Village - Hariaun Ward No. -04, P.S. - Malanwa, Dist. - Sarlahi (Nepal).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 11-01-2022 Heard the learned Advocate for the petitioners

and the learned APP for the State through video

conferencing.

The petitioners seek bail in connection with

Sonbarsa P. S. Case No.100 of 2021, instituted for the

offences under Section 414 of the Indian Penal Code and

Sections 21(b) of the N.D.P.S. Act.

The learned counsel for the petitioners submits

that the petitioners are in custody since 15.04.2021, they are

persons with clean antecedent and charge-sheet has been

submitted in the case.



Allegation is of recovery of 63 bottles of Dialex-DC each containing 100 ml. from a bag including the motorcycle which the petitioners were riding.

The learned counsel for the petitioners submits that Dialex-DC is a cough syrup and is being used for treatment of dry cough and manufacturer of this syrup is Dr. Reddy's Laboratories Limited and composition of this syrup codeine (10mg) + Chlorpheniramine (4mg) and is not a prohibited medicine.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioners are in custody since 15.04.2021, they are persons with clean antecedent, charge-sheet has been submitted in the case and codeine is not a narcotic drug and the manufacturer of the medicine is Dr. Reddy's Laboratories Limited, which is used for treating the dry cough, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S.



Act, Sitamarhi in connection with Sonbarsa P. S. Case
No.100 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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