

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44627 of 2021**

Arising Out of PS. Case No.-48 Year-2021 Thana- GWALPARA District- Madhepura

RAJU RAJ Son of Ghanshyam Prasad Yadav @ Ghanshyam Yadav Resident
of Village - Birgaon, P.S.- Gwalpara (Arar O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate.

For the Opposite Party/s : Mr.Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 10-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 02.04.2021,
seeks regular bail in connection with N.D.P.S. Special Case No.
07 of 2021 arising out of Gwalpara (Ara O.P.) P.S. Case No. 48
of 2021 for the offence punishable under Section 21 (c) of the
N.D.P.S. Act.

Allegation is of recovery of 45 bottles each containing



100 ML, altogether 4.500 litres of Codeine Phosphate and Triprolidine Hydrochloride Syrup from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has clean antecedent and he is in custody since 02.04.2021.

Learned APP for the State submits that the petitioner does not possess any license to run the chemist shop and the seizure has been effected near the Chatra bridge while the petitioner was in possession of the aforesaid prohibited articles.

In view of the recovery of huge quantity of codeine syrup and it is not the case of the petitioner that codeine does not come under the mischief of NDPS Act, I am not inclined to enlarge the petitioner on bail. Accordingly, the present bail application is rejected.

The trial court is directed to conclude the trial expeditiously without being prejudiced by any observation made in the present order.

It is directed in this case that if the trial is not concluded within a period of nine months, it will be open to the



petitioner to approach this Court again for grant of regular bail.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

