

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49824 of 2021

Arising Out of PS. Case No.-191 Year-2021 Thana- MURLIGANJ District- Madhepura

TINKU KUMAR SAH @ TINKU SAH son of late Ashok Sah, resident of
village Murliganj Ward no. 14 P.S Murliganj District Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 21(C) of the NDPS Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, about 9 litres of two different formulations of codeine syrup is said to have been recovered from behind the house of the petitioner.

It is submitted by learned counsel for the petitioner that the only allegation against the petitioner is the statement of one Sonu Singh made before the police authorities that he was giving the codeine syrup to the petitioner for sale. There is no other material against the petitioner except the statement of a co-accused made before police. No incriminating article has



been recovered from the petitioner's possession. Even as per the seizure list the alleged place of recovery is behind the residential house of the petitioner. The petitioner is in custody since 5.7.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent and having remained in custody for more than 7 months, the Court directs the petitioner to be enlarged on bail in connection with Murliganj P.S. Case no. 191 of 2021, N.D.P.S. Case no. 12 of 2021 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 Sessions Judge-cum-Special Judge, NDPS Act, Madhepura.

(Partha Sarthy, J)

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