

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50433 of 2021

Arising Out of PS. Case No.-205 Year-2021 Thana- RAXAUL District- East Champaran

VISHAL KUMAR SINGH S/O NANDU SINGH R/o village- Mishra Tola,
P.S.- Haraiya O.P., Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-05-2022 Heard Mr. Madhurendra Kumar, learned counsel for
the petitioner and Mr. Yogendra Kumar Singh, learned
Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with NDPS
Case No. 49/2021 arising out of Raxaul (Haraiya) PS Case No.
205/2021 registered for the offence punishable under Sections
21(c), 22(a) of the NDPS Act and 18(c) of Drugs Cosmetic Act.

As per prosecution case, a medicine shop belonging to
the co-accused, Raj Kumar Singh was raided by the police force
and a huge quantity of Codeine based cough syrup and Nitrovet-
10 (Nitrozepam) tablets were seized which is said to be
Psychotropic Drugs.

Learned counsel for the petitioner submits that the
petitioner is a salesman in the shop owned by the co-accused,



Raj Kumar Singh and he has not committed any offence in the manner alleged. He further submits that from perusal of the seizure list, it would be evident that 400 bottles of cough syrup having Codeine was recovered, however, percentage of Codeine in 100 ML bottle has been found to be 10 MG whereas permissible limit of Codeine is 2.5 *per cent* as per notification issued by Drug Controller General of India. Learned counsel next submits that the co-accused, Raj Kumar Singh being owner of the said shop has been running the medicine shop on the basis of valid license which has now been renewed with retrospective effect i.e., from 11.04.2021 and he has been granted anticipatory bail by a Co-ordinate Bench of this Court *vide* Cr. Misc. No. 52284/2021. The petitioner having no criminal antecedent is in custody since 07.06.2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is a salesman working in the said medicine shop and the owner of the shop, co-accused, Raj Kumar Singh has been granted anticipatory bail by a Co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, VISHAL KUMAR



SINGH be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with NDPS Case No. 49/2021 arising out of Raxaul (Haraiya) PS Case No. 205/2021.

(Anil Kumar Sinha, J)

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