

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34851 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

1. Nazir Ali S/O Yunus Ali R/O Village- Hamirpur, P.S- Tanda, Distt.- Rampur (U.P).
2. Sakir Hussain S/O Amir Hussain R/O Village- Tarka Mazara, P.S- Tanda, Distt.- Rampur(U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. V.N.P. Sinha, Sr. Advocate

Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-07-2023 Heard the learned counsel for the petitioners and
learned APP for the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioners seek bail in connection with
Kuchaikote P.S. Case No. 150 of 2023 registered for the offence
under Sections 27(b)(ii)/27(d)/28 of the Drugs and Cosmetic Act
2008 and Section 22 of N.D.P.S.

Learned counsel for the petitioners submits that the
petitioners are in custody since 23.03.2023 and they have
committed no offence and the petitioners are innocent and have
been falsely implicated in this case.

It has been submitted by the learned senior counsel



for the petitioners that the petitioners being drivers of the truck having no knowledge as to whether the cough syrup were banned or whether the N.D.P.S. Act is applicable to them or not.

The petitioners are the driver of the truck in which medicines including cough syrup namely Codeine which is ban in Bihar were being transported from Dehradun, Uttarakhand to Patna.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the submission of the learned senior counsel for the petitioners, this application for regular bail is allowed.

Let the petitioners, above named, 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 learned District and Sessions Judge, Gopalganj/concerned Court below in connection with Kuchaikote P.S. Case No. 150 of 2023.

This application for regular bail stands allowed.

(Sandeep Kumar, J)

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