

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62442 of 2022

Arising Out of PS. Case No.-651 Year-2022 Thana- SUPAUL District- Supaul

Md. Rahim S/O Md. Samsuddin R/O Village- Chakla Nirmali, Ward No.- 07,
P.S. And District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patla Kumari

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Supaul P.S. Case No. 651 of 2022 registered under Section 21(a) N.D.P.S. Act but subsequently rectified/corrected on the application of I.O of this case as Section 21(b) of N.D.P.S. Act.

Prosecution case in short is that the police were patrolling, in the mean time, they saw that one motorcycle was being driven hurriedly, which was chased by the police party and ultimately intercepted. Riders on the aforesaid motorcycle tried to escape but they were apprehended and disclosed their names as Md. Rahim (petitioner) and co-accused Prince Kumar and after search, total 260 bottles of Codeine Phosphate and



Triprolidine Hydrochloride syrup were recovered from the plastic sack, which was kept by the accused persons on their motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to village party politics and previous enmity. It is further submitted from para-7 of this petition that (I) the codeine phosphate is a type of opiate, analgesic agent, a tussive agent and a type of antidiarrheal agent. (ii) Triprolidine HCL oral used in side effects interactions. Triprolidine is an antihistamine used to relieve symptoms of allergy, high fever and the common cold, these symptoms include rash, watery eyes. Nothing incriminating has been recovered from the possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 06.07.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The



above named petitioner is directed to be enlarged on bail in connection with Supaul P.S. Case No. 651 of 2022 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 Special Judge (NDPS) Supaul.

(Sunil Kumar Panwar, J)

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