

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68691 of 2023**

Arising Out of PS. Case No.-151 Year-2023 Thana- JALALGARH District- Purnia

1. Md. Manjar Son Of Rajiuddin Resident Of Village - Harchandrapur, Ward No. 6, Ps- Jalalgarh, Distt- Purnea
2. Md. Israil Son Of Md. Alimuddin Resident Of Village - Mahsaili, Ward No. 1, Ps- Bounsi Basethi, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                            |
|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agarwal, Sr. Adv. |
|                          |   | Mr.Dr. Bidhu Ranjan        |
| For the Opposite Party/s | : | Mr.Sanjay Kumar Singh      |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      18-12-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners seek regular bail in connection with  
Jalalgarh P.S. Case No. 151 of 2023 registered for the offence  
under Sections 8 (C), 21(C) of the NDPS Act.

3. As per prosecution case, the petitioners are said to  
have been apprehended from house of Md. Major Alam from  
where, total 354.8 liters of Codeine syrup was recovered.

4. Learned counsel for the petitioners submits that the  
petitioners are innocent and have committed no offence. They  
have falsely been implicated in this case. The petitioner no.1 is  
the proprietor of Maa Medico having valid license for dealing in



drugs by the competent authority for which he is paying the GST and other taxes. It it also submitted vide para 6 of the second supplementary affidavit that the quantity of seized codeine is about 354.8 gram which is much below that commercial quantity of codeine i.e 1kg. The petitioners have got no criminal antecedent and they are languishing in judicial custody since 11.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail **after framing of charge, if not framed** in connection with Jalalgarh P.S. Case No. 151 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge NDPS Act, Purnea.

(Sunil Kumar Panwar, J)

Amandeep/-

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