

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80876 of 2023**

Arising Out of PS. Case No.-512 Year-2023 Thana- SUPAUL District- Supaul

Neeraj Kumar Son of Rambihari Yadav @ Rasbihari Yadav Resident Of  
Bhelwa, Ward No.2, P.S. - Gamhariya, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumar Goutam, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      21-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
N.D.P.S. (Spl) No. 38 of 2023, arising out of Supaul P.S. case  
No. 512 of 2023 instituted for the offences under Sections  
8/21(b) of the N.D.P.S. Act.

3. Prosecution allegation, as per F.I.R., is that total 3.5  
litres of WISCOF cough syrup was recovered from the  
possession of this petitioner.

4. It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 25.06.2023 and has no criminal  
antecedent. Learned counsel further submitted that total 3.5  
litres of WISCOF cough syrup was recovered from the



possession of this petitioner which amounts to total 3.5 grams of codeine. He further submitted that the recovered contraband is much less than the smaller quantity as per N.D.P.S. Act. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with N.D.P.S. (Spl) No. 38 of 2023, arising out of Supaul P.S. case No. 512 of 2023.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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