

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38408 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Kundan Kumar son of Rambabu Mahto Vill- Tara Bariyarpur Ps-
Khodawandpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Yadav

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khodawandpur P.S. Case No. 138/2023 lodge on 17.03.2023
under Section 420/120B of the Indian Penal Code and
8/18/20/22(C)/23 NDPS Act and 18(C)/27(B) 1, 18(A)/28 Drugs
And Cosmetics Act 1945 (Amendment 2013)

3. As per the prosecution case, F.I.R. has been lodged
against three known and one unknown accused persons
including the present petitioner with whom there is recovery of
96000 litre cough syrup which contains codeine phosphate.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that petitioner is the owner of the truck and he has



no knowledge about the article which were loaded in the truck as the truck is driven by the driver and khallasi who was apprehended on spot. Counsel further submits that the criminal antecedent of the petitioner is clean and the petitioner is in custody since 01.11.2023.

5. Learned APP for the State opposes the prayer for bail and submits that the cough syrup which is seized contains Codeine Phosphate which is N.D.P.S. material and more than the commercial quantity.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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