

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35094 of 2024

Arising Out of PS. Case No.-763 Year-2023 Thana- SUPAUL District- Supaul

Md. Rahim Son of Md. Samsuddin Resident of Chakla Nirmali, Ward No.-
07, Police Station and District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with NDPS Case no. 51 of
2023 arising out of Supaul P.S. Case no. 763 of 2023 registered
under section 21C of the NDPS Act.

3. As per the prosecution case, on a search being
conducted it is stated that 198 bottles of Codeine Phosphate and
Triprolidine Hydrochloride syrup of 100 ml each which contains
39.6 grams of Codeine Phosphate was recovered and on being
asked the petitioner who is said to be the driver of the vehicle
did not produce any document.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. No



incriminating article has been recovered from the petitioner's possession. The alleged seized article is below the commercial quantity. The petitioner is in custody since 3.10.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the liberty granted to the petitioner in the earlier order of rejection dated 22.2.2024 (Annexure-1), charge having been framed in the learned trial Court vide order contained in Annexure- 3 and the petitioner having remained in custody for 7 months since 3.10.2023, the petitioner is directed to be enlarged on bail in connection with NDPS Case no. 51 of 2023 arising out of Supaul P.S. Case no. 763 of 2023, 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 Additional District and Sessions Judge-III, Supaul.

(Partha Sarthy, J)

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