

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44531 of 2024

Arising Out of PS. Case No.-16 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Mursaleen Ahemad @ Mursaleem Ahemad son of Mustakeen Ahmad Village-
Ruppur Ps- Ruppur Dist- Muradabad U.P

... .. Petitioner/s

Versus

The Union Of India Through NCB, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.
For the Opposite Party/s : Mrs. Shail Kumari, C.G.C

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 02-12-2024 Heard Learned Counsel for the petitioner and Learned
Counsel for the Union of India through N.C.B.

2. The petitioner seeks regular bail in connection with
N.C.B. Case No. PZU/V/16 of 2023, N.D.P.S. GR Case No. 107
of 2023, for the offences punishable under Sections 21(C), 25 &
29 of the N.D.P.S. Act, 1985.

3. As per the prosecution, 5000 pieces of Phensedyl
cough syrup kept in fifty boxes of coot 100 pieces each and
1460 packets of Everyday milk powder kept in the box of coot
have been recovered and from the seal of cough syrups in the
composition, Codeine-10 grams was written.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



submits that under wrong impression, this case has been lodged otherwise, the quantity which has been recovered is basically small quantity of the N.D.P.S. material as per the formulation submitted in the counter affidavit by the N.C.B which contains 5 ml shall contains 10 mg of codeine phosphate. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 30.01.2024.

5. Learned Counsel for the Union of India through N.C.B opposes the prayer for bail of the petitioner and submits that 5000 bottles of Phensedyl cough syrup have been recovered from the cartoon on the truck and bail application of the petitioner may be rejected.

6. In response thereof, Counsel for the petitioner submits that petitioner is not named in the FIR and his name has been figured in this case only by virtue of suspicion as in the confessional statement, it has come that he is partner of the shop for which the alleged medicine was going to be delivered.

7. In the present facts and circumstances of this case, let the petitioner above named be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge/Special Judge, East Champaran at Motihari in connection



with N.C.B. Case No. PZU/V/16 of 2023, N.D.P.S. GR Case
No. 107 of 2023, subject to the conditions as laid down U/s
437(3) Cr.P.C.

(Dr. Anshuman, J)

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