

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54465 of 2024**

Arising Out of PS. Case No.-6 Year-2024 Thana- NAUGACHIA District- Bhagalpur

RAJU TEKRIWAL @ RAJ KUMAR TEKRIWAL SON OF MATA DIN
TEKRIWAL R/O- MOHALLA- JHAUGANJ CHOWK, RANIPUR MILKI
CHAK, P.S.- CHOWK, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, Advocate

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

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Naugachia P.S. case No. 06 of 2024 instituted for the
offences under Sections 21(c), 22(c), 25 of the N.D.P.S. Act.

3. Prosecution case, in short, is that 285 bottles of
100ml each containing Triprolidine Hydrochloride and Codeine
Phosphate of CODEC-T company and 42 bottles of 100ml each
of Wiscof company syrup were recovered in this case.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that total 1.635 gram of codeine was recovered. Charge-sheet has been submitted in this case. Petitioner has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 42 and 50 of the N.D.P.S. Act. The co-accused person has already been granted regular bail by this Bench vide order dated 01.05.2024 passed in Cr. Misc. No. 18582 of 2024.

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, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Naugachia P.S. case
No. 06 of 2024, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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