

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67133 of 2024

Arising Out of PS. Case No.-16 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

=====

Md. Khamasa Tasmir Ahmed @ Md. Khamasa Tamir @ Khusro Son of Md. Mazharul Islam Ansari Resident of near Choti Masjid, Gulli Bhatta, Sahibganj, P.S. - Sahibganj, District - Sahibganj, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Intelligence Officer, Narcotics Control Bureau, Patna, Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Nilanjan Chatterjee, Adv.
For the UOI	:	Mrs. Shail Kumari, Adv.
For the State	:	Mr. Pranav Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-10-2024 Learned counsel for the Union of India has filed a hard copy of the counter affidavit today in the Court.

2. Let it be kept on record.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

4. The petitioner seeks bail in a case registered for the offence punishable under Sections 8(c), 21(c), 25 and 29 of the NDPS Act.

5. Petitioner is said to have involved for transporting of huge quantity of codeine containing cough syrup.

6. Learned counsel for the petitioner submits that the petitioner is innocent, not named in the FIR and have been



falsely implicated in this case. He submits that the name of the petitioner transpired on the confessional statement of co-accused who disclosed that the petitioner gave him order of 20 cartons of codeine. He submits that the petitioner is neither involved in ordering the illicit consignment nor he is anywhere involved in transporting it. He submits that the petitioner is a reputed businessman and has no criminal antecedent of selling illicit drugs, contraband etc. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 04.06.2024.

7. Learned APP for the State and Union of India opposed the prayer for bail and submit that five cartons 1200 bottles of codeine containing cough syrup were recovered from the possession of the co-accused in whose confessional statement the name of the petitioner transpired.

8. Considering the facts and circumstances of the case and the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with



Special (NDPS) Case No. 188 of 2022, NCB Case No.
NCB/PZU/V/16/2022, subject to the conditions:

(I) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(II) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

