

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68319 of 2024

Arising Out of PS. Case No.-357 Year-2024 Thana- RANIGANJ District- Araria

Md. Azad Son of Md. Jainul Resident of village - Raniganj chhoti Rampur,
ward no 09, P.S- Raniganj, District -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

4 03-12-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Raniganj P.S. Case No. 357 of 2024 instituted for the offences
under Sections 21(c) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 18 bottles of ‘Wiscodin syrup’ and 5 bottles of
‘Eskuf syrup’ each containing 100 mL. The total quantity of
codeine amounts to 4.6 grams in all bottles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner further submits petitioner has no concern with the recovered contraband. The recovered contraband is below the small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 09-08-2024 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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, recovery below small quantity, and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on 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 Raniganj P.S. Case No. 357 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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