

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70345 of 2024

Arising Out of PS. Case No.-1264 Year-2024 Thana- Excise P.S. District- East Champaran

Sachin Kumar Son of Chunnu Singh R/o Village- Naga Road, P.S.-Raxsaul,
District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

ORAL ORDER

3 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Motihari P.S. Case No. 1264 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that total 212 litres of
Codein Syrup has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 04.08.2024 and 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 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 and submitted that recovered contraband is less than small quantity.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than small quantity as also 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 Excise Motihari P.S. Case No. 1264 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

