

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79573 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- HARLAKHI District- Madhubani

RAUSHAN KUMAR Son of Ram Bahadur Prasad R/o vill - Pipraun, P.s. - Harlakhi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ganga Deo Yadav with Mr. Ravi Prakash and Mr. Rajesh Kumar, Advocates.
For the Opposite Party/s :		Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 20 and 22 of the N.D.P.S. Act.

3. As per prosecution case, there has been recovery of 40 bottles of Codeine like Cough Syrup from the bag of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner has no concern with the seized codeine like Cough Syrup. He submitted that seized Codeine like substance does not come



within the purview of commercial quantity as per N.D.P.S. Act. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case, while preparing the seizure list. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 09.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Harlakhi P.S. Case No. 243 of 2023.

(Sunil Kumar Panwar, J)

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