

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83373 of 2023

Arising Out of PS. Case No.-215 Year-2023 Thana- BASOPATTI District- Madhubani

NIRAJ KUMAR, SON OF MR. JAGAT NARAYAN PRASAD, RESIDENT
OF VILLAGE-BASOPATTI, P.S.- BASOPATTI, DITRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Basopatti P.S. Case no. 215 of 2023, registered under sections 8, 21 and 22 of the NDPS Act.

3. As per the prosecution case, 2468 bottles of Exiplon cough syrup and 44 bottles of Dialex-DC cough syrup was recovered from the godown belonging to the petitioner. It is further stated that the same contained codeine.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for oblique reasons. He happens to be a licence holder and runs a shop in accordance with the Acts and the Rules framed thereunder. No incriminating article has been recovered from his possession.



Having been falsely implicated in the case the licence of the petitioner's shop has also been suspended vide order dated 14.10.2023 which has been brought on record as Annexure-4 to the petition. The petitioner is in custody since 26.9.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, his being in custody since 26.9.2023, charge-sheet having been submitted in the case and the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Basopatti P.S. Case no. 215 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S., Madhubani.

(Partha Sarthy, J)

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