

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84280 of 2024**

Arising Out of PS. Case No.-524 Year-2023 Thana- ARARIA District- Araria

Sakib @ Md. Sakib S/o- Nojam @ Nijamuddin @ Mijamuddin Village-  
Bokra haldiya PS-Simraha District- Araia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jyoti Prasad

For the Opposite Party/s : Mr. Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      13-12-2024      1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Araria (R.S.) Police Station Case No. 524 of 2023, dated 29.05.2023, disclosing offences under Sections 21/22/23 of the Narcotic Drugs and Psychotropic Substance Act.
3. The prosecution case, as per the First Information Report, is that on the basis of secret information, the police raided the godown of co-accused Md. Kamran on 28.05.2023 and apprehended co-accused Md. Naushad Alam. Upon search, huge quantity of cough syrup (7277 bottles of 100 ml each) containing codeine was recovered. The apprehended person disclosed the name of the petitioner



along with others and have also disclosed that there is an organized gang of persons including the petitioner. He is being paid Rs. 5000/- per month for taking care of the contraband substance.

4. Learned counsel for the petitioner submits that allegation against the petitioner is totally false and baseless and nothing has been recovered from his possession. There is no direct incriminating material against the petitioner except disclosure of his name by the arrested co-accused Md. Naushad Alam. He next submits that Md. Kamran, from whose house huge quantity of cough syrups has been recovered, was granted regular bail by a Co-ordinate Bench of this Court vide order, dated 28.02.2024, passed in Cr. Misc. No. 54588 of 2023. He further submits that similarly situated co-accused Manoj Singh has also been granted regular bail by a Co-ordinate of this Court vide order, dated 29.02.2024, passed in Cr. Misc. No. 79778 of 2023. The petitioner is in custody since 13.09.2024.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that specific allegation is against co-accused persons, namely, Md. Kamran and Manoj Singh, and they have been granted regular bail by Co-ordinate Benches of this Court and the petitioner is



in custody since 13.09.2024, I am inclined to grant regular bail to the petitioner.

6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge NDPS Act, Araria, in connection with Araria (R.S.) Police Station Case No. 524 of 2023.
8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Anil Kumar Sinha, J)**

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