

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2255 of 2024

Arising Out of PS. Case No.-763 Year-2023 Thana- SUPAUL District- Supaul

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Sumit Kumar son of Parmeshwar Paswan R/o- Jhakrahi W.No-26, Ps-
Supaul Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun .

For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 21(c) of the N.D.P.S Act.

There is recovery of 198 sachets of Codeine

phosphate and Triprolidine Hydrochloride syrup each 100

ml which contains 39.6 grams of Codeine Phosphate

from a vehicle and petitioner along with one other

accused were arrested.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Though the petitioner is owner of the vehicle but he was not aware about the medicine being carried out in the vehicle as he was coming from the market with the driver of the vehicle. Moreover, the seized contraband does not come within the purview of commercial quantity. The petitioner is languishing in custody since 03.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing of charge, if the charge has still not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two



sureties of the like amount each to the satisfaction of
learned Sessions Judge-cum-Special Judge, N.D.P.S,
Supaul in connection with N.D.P.S Case No. 51 of 2023,
arising out of Supaul P.S. Case No. 763 of 2023.

(Sunil Kumar Panwar, J)

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