

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21754 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- BHANGHA District- West Champaran

Ramsnder Sharesth S/O- Mangal Man Sharesth Village- Gurwaliya Parati
Tola Ps- Manuapul Dist- West Champaran P/A- Makwanpur Hathaura W.No-
10, Ps- Makwanpur Dist- Makwanpur Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bhangaha P.S. Case No. 03 of 2025 dated 08.01.2025 instituted
for the offence punishable under Sections 22 (B) of the N.D.P.S.
Act.

3. The allegation is of recovery of 39 bottle Codeine
Phosphate & Tgriprolidine Hydrochloride Syrup Onerex from
the jacket and seat of motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that from bare perusal of seizure list it is apparent that 39 bottles of Onerex Syrup each of 100 ml was found in possession of the petitioner. It is also submitted that from the report of Drug Inspector, it is evident that each 5 ml of syrup contains 10 mg of Codeine Phosphate and 1.25 mg Tgriprolidine Hydrochloride i.e. Total:- 7.8 gram Codeine Phosphate has been recovered from the conscious possession of the petitioner which is less than small quantity. It is next submitted that police had not followed the mandatory provisions of Sections 50, 51 and 52 of the N.D.P.S. Act while performing the search and seizure of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 08.01.2025 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (N.D.P.S.), Bettiah, West Champaran in Bhangaha P.S. Case No.



03 of 2025.

(Khatim Reza, J)

Sankalp/-

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