

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24700 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- INARWA District- West Champaran

Omnath Arya S/o- Pahawari Prasad Vill- Nagardehi Inarwa, Ps-Bhangaha
Dist -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner as well as the
counsel appearing for the respondent-State.

2. It is the first regular bail application submitted by the petitioner who has been arrested in connection with Inarwa P.S. Case No. 16 of 2025 for the alleged offences punishable under Section 22(b) of N.D.P.S Act.

3. According to the case of prosecution, it is alleged that on 12.02.2025 at about 6:20 P.M on the basis of the information received from the informant police officials during course of search caught hold of one Md. Noor Alam with 100 bottles of Onerex Cough Syrup and on the basis of his statement subsequently, the police officials reached the medical shop of the petitioner and from there they seized 47 bottles of Onerex Cough Syrup.

4. It is submitted by the counsel for the petitioner that the petitioner is innocent and is falsely implicated in this case only on the



basis of the information provided by the informant co-accused Md. Noor Alam. He further submits that only 47 bottles of the Onerex Cough Syrup has been seized from the petitioner from which only 9.4 gram of Codeine Phosphate has been found which is a small quantity. He submits that since he is in custody since 13.02.2025 and has no any previous criminal antecedent. Therefore, it is prayed by him that the petitioner may be granted benefit of bail.

5. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

6. Considering the submission made by the counsels and further considering the fact that the quantity of Codeine Phosphate which has been found in the seized bottles of Onerex Cough Syrup from the petitioner is a small quantity, therefore, Section 37 of the N.D.P.S Act is not applicable in the present case. Thus, the application preferred by the petitioner on these grounds is allowed, the petitioner, above named, is directed to be released on bail in connection with Inarwa P.S. Case No. 16 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties to the like amount each to the satisfaction of the Exclusive Special Judge, N.D.P.S, West Champaran, Bettiah.

(Arvind Singh Chandel , J)

Siddharth Soni/-

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