

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24424 of 2025

Arising Out of PS. Case No.-642 Year-2024 Thana- KHAJANCHI HAT District- Purnia

Md. Khalid, Son of Md. Kalim, Resident of Kadgama, Ward No. 08, P.S.-
Srinagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with K. Hat
P.S. Case No. 642 of 2024 dated 26.12.2024, instituted for the
offence punishable under Sections 8(c), 21(c), 25, 29 of the NDPS
Act.

3. The allegation is of recovery of 8.5 litres Codeine
Phosphate & Triprolidine Hydrochloride Syrup Wiscof Cough
Syrup from a Tempo bearing Registration No. BR11PA8050 which
belongs to the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner submits that nothing has
been recovered from the conscious possession of the petitioner.



Petitioner is the driver cum owner of the said tempo. The petitioner has been made accused only on the basis of suspicion. It is further submitted that 17 gram Codeine is said to be found which is less than commercial quantity. The Codeine has been defined under the NDPS table at SI. No. 28 in which the small quantity is said to be 10 gram and commercial quantity is 1 kg. The said recovery is more than small quantity and less than commercial quantity. Lastly, it has been submitted that the petitioner is in custody since 27.12.2024 having no criminal antecedents. 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 Additional Sessions Judge III, Purnea in connection with K. Hat P.S. Case No. 642 of 2024.

(Khatim Reza, J)

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