

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48677 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- BAIRGACHHAI District- Araria

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Tausik @ Tausif S/o- Raisuddin Village- Belbari W.No-15, Ps- Bairgachhi
Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bairgachhi P.S. Case No. 59 of 2025 instituted for the offences
under Section 21(c) of the N.D.P.S. Act and Section 111 of the
Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that total 120 litres of
Eskuf cough syrup has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. Petitioner is in custody since 28.05.2025 and has one criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. Learned counsel further submitted that although there is a recovery of cough syrup, it has not been specified what its contents are, nor whether those contents fall within the definition of contraband under the NDPS Act. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and since no exact contents of the cough syrup have been specified which fall under the definition of contraband under the NDPS Act as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Bairgachhi P.S. Case
No. 59 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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