

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52698 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- HARLAKHI District- Madhubani

Rahul Singh Son of Rambabu Singh, R/o Village- Pipraun, P.S.- Harlakhi,
District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for
the offences punishable under Sections 20 and 22 of the NDPS
Act.

3. The prosecution case as per the typed application
of Upendra Prasad, ASI, Harlakhi PS in brief is that on
30.04.2025, he along with other Police personnel raided the
shop of one Rahul Singh (petitioner) situated on the land of
Ram Babu Singh at Pipraun, which was closed at that time. On
opening of the shop, the recovered prohibited medicines
described in the typed application were recovered from the shop
of the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that he has been implicated in this false case merely on the basis of suspicion and nothing incriminating has been recovered from his conscious physical possession. Learned counsel next submits that the petitioner carries two criminal antecedents and he is on bail in both the cases as mentioned in the paragraph no. 3 of the bail application and chargesheet in the present case has already been filed and therefore, the investigation has already been completed. Learned counsel lastly submits that the petitioner is in custody since 17.05.2025.

5. Learned Additional Public Prosecutor for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedents as has been admitted by the petitioner and it is an undisputed fact that when the shop was raided, the following articles were recovered:-

(i) *Codeine phosphate & triprolidine hcl. syrup*
(100)- 15 bottles.

(ii) *Nitrazepam tablet IP 10 (Nitratet-10)- 120*
tablets.



(iii) Spasmo-proxyvon plus caps.- 24 capsules.

(iv) Paytm payment scanner machine.

In the impugned order passed by the learned Court below, it is also stated that witnesses at paragraph nos. 2, 3, 8, 9 and 10 have fully supported the case of the prosecution. The co-accused has also named the petitioner in his confessional statement. The quantity of NDPS recovered comes under the commercial quantity and is hit by Section 37 of the NDPS Act.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail.

7. Accordingly, the prayer for regular bail of the petitioner stands rejected.

(Alok Kumar Sinha, J)

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