

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58154 of 2025

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

Alauddin @ Md. Alauddin S/o Shahid @ Md. Shahid Resident of Kadgama
ward no 6, P.S.- Srinagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

3 30-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Suppl. K. Hat PS Case
No. 642 of 2024 instituted for the offences under Sections 8(c),
21(c), 25 & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 8.5 liters codeine wiscof cough syrup from a Tempo,
which belongs to co-accused, namely, Md. Khalid.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner further submits that petitioner has no concern with



the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 01-06-2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 30-04-2025, passed in Cr. Misc. No. 24424 of 2025.

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, claim based on parity and 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Suppl. K. Hat PS Case No. 642 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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