

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58513 of 2025**

Arising Out of PS. Case No.-81 Year-2025 Thana- Bypass District- Bhagalpur

Md. Hasim S/o Md. Saied R/o Village - Dogachchi, P.S - By Pass, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      27-08-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20 and 22 of the Narcotic Drugs and Psychotropic Substance Act.

3. The case of the prosecution is that from the house of the petitioner altogether 11 liters cough syrups and Rs. 24,080/- was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR and the Seizure list, it is clear that the Investigating Officer has not disclosed as to what specific contraband substance was present in the recovered cough syrup



on the basis of which he has termed the same as prohibited. Even on perusal of the order of the trial Court also, it is apparent that there is no clear finding that the recovered cough syrup contained any contraband substance, no case under the NDPS Act is made out against the petitioner and at best the allegation may fall within the ambit of the Drugs and Cosmetic Act. Moreover, the petitioner is languishing in judicial custody since 10.06.2025.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with By-pass P.S. Case No. 81 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Bhagalpur.

**(Ashok Kumar Pandey, J)**

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