

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72896 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- JAIPUR District- Banka

Rajesh Kumar S/o Balmiki Prasad Resident at Purani Bazar Lohapatti, Ward
No. 11, P.S.- Lakhisarai, District- Lakhiksarai, Proprietor of B.K. Distributor,
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 74567 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- JAIPUR District- Banka

Rakesh Kumar Singh S/o Shankar Prasad Singh R/o - Nayatola, Purani Bazar,
Ward No. 12, P.S - Lakhisarai, District -Lakhisarai, Proprietor of Ganesh
Pharma, Deoghar, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 72896 of 2025)
For the Petitioner/s : Mr. Rana Vikram Singh, Adv.
Mr. Vijay Anand, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 74567 of 2025)
For the Petitioner/s : Mr. Vijay Anand, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-11-2025 Heard learned counsel for the petitioner(s) and
learned A.P.P. for the State (in both cases).

2. The petitioners apprehend their arrest in a case
registered for the offence under Sections 21(c), 22(c), 25 of the
N.D.P.S. Act.

3. The case of prosecution, in brief, is that on



27.06.2025, at about 20:20 hours, the informant, who is S.I. of Police, during vehicle checking at Chaualis More, intercepted a truck bearing registration no. JH03AN2039. By seeing the police party, the persons travelling on said truck, managed to flee from the spot taking advantage of darkness, whereas the driver of the said truck and his helper were nabbed. Upon query, the driver disclosed his name as Chandan Yadav and his helper disclosed his name as Raju Kumar Yadav. Upon search, 20000 bottles each of 100 ml (total 2000 liters) of Codine Cough Syrup were recovered from the truck along with bill addressing as from Ganesh Pharma Deoghar to B.K. Distributors Lakhisarai were recovered from the cabin of the seized truck.

In Cr.Misc. No. 72896 of 2025

4. Learned counsel for the petitioner (Rajesh Kumar) submits that petitioner is owner of M/s B.K.Distributors Lakhisarai and he is the consignee of the alleged cough syrup, having valid license under Rule 20B, 21B Rule 61(1) to deal with the medicine likewise Codeine Cough syrup. He further submits that on 07.06.2025, through two Invoice No. G/MKT/25-26/0748 & 0749 e-way bill No. 322015870880 and 392015877431 Windlas Biotech Limited, 10,000 & 10,000 bottles of Wiscof syrup sent its C&F by M/s Ganesh Pharma,



Deoghar Jharkhand through Shiv Shakti Transport. He next submits that M/s Ganesh Pharma, Deoghar also holds a valid license, issued by Drug Control Director at Deoghar, under Rule 61(2) in Form 2'B' and Rule 61(1) in Form 20(B), which is valid from 13.01.2025 to 12.01.2030. The aforesaid consignment i.e. cough syrup is of petitioner's firm, which was sent by M/s Ganesh Pharma, Deoghar, but due to error on the part of staff of M/s Ganesh Pharma, instead of generating 20 different bills, the said firm generated only 4 bills. Petitioner claims clean antecedent.

In Cr.Misc. No. 74567 of 2025

5. Learned counsel for the petitioner (Rakesh Kumar Singh) submits that petitioner is owner of M/s Ganesh Pharma Chopamore, Deoghar (Jharkhand). He is the consignor of aforesaid seized cough syrup. The firm of the petitioner is also registered under GST under Government of India and its Registration No. 20ATGPS4210B1ZB. The firm had dispatched the consignment to M/s B.K. Distributors, Lakhisarai, as per their different 20 orders of 10 case placed on 26.06.2025 & 27.06.2025, but due to laches on the part of staff of the firm, separate bills could not be issued. Petitioner claim clean antecedent.



6. Learned A.P.P. for the State has opposed both bail petitions.

7. Considering the aforesaid facts and circumstances, let the petitioner of both cases namely Rajesh Kumar and Rakesh Kumar Singh, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS, Banka in connection with Jaipur P.S. Case No. 50 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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