

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85029 of 2024

Arising Out of PS. Case No.-249 Year-2024 Thana- SONBERSA District- Sitamarhi

Shatrudhan Kumar, aged about 26 years, Male, S/o Vujhavan Ray, resident of Village- Araria, Ward No. 15, P.O.- Araria. P.S.- Kanhouli, District- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

1. The Union of India through the SSB
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Jha, Advocate
For the OP No.1	:	Mr. Arun Kumar Satyamurti, CGC
For the OP No.2	:	Mr. Yogendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 08-05-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Sonbarsa PS Case No.249 of 2024 dated 22.08.2024, instituted for the offence punishable under Sections 21-C of the NDPS Act.

3. The allegation is of recovery of 298 bottles each of 100 ml. of Codeyl-T syrup from the E rickshaw of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is also submitted the entire process of seizure and arrest of the petitioner is bad in law. There is no signature of the



petitioner on the seizure list especially when the petitioner was said to be arrested at the time of seizure. The petitioner is owner cum driver of the *E* rickshaw from which he was earning in livelihood. It is further submitted that as per the FSL report each 5 ml of Codedyl- T contains 10 mg Codeine Phosphate. Lastly, it is submitted that petitioner is in custody since 22.08.2024 having clean antecedents.

5. Learned APP as well as learned counsel for the Union of India has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Sitamarhi, in Sonbarsa PS Case No.249 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

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