

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6271 of 2026

Arising Out of PS. Case No.-390 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Md. Safeullah @ Sahphullah S/O Late Md. Alauddin Resident of Village-
Madhopara, near Purani Masjid, PS- Sahayak Khajanchi, District- Purnea
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra Mr. Vivekanand Jha Ms. Isha Mishra
For the State	:	Mr. Sunil Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 8(c), 21(c) of the N.D.P.S.
Act.

3. Total 2.700 litres of codeine syrup has been
recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted
that a false recovery of 2.700 litres of cough syrup containing
codeine has been recovered from the house of the petitioner
which was under the joint possession of other family members
also. Further, there is no independent witness to the seizure list
and as such, the mandatory provisions of search and seizure
have been violated. It has also been submitted that the petitioner
having no criminal antecedent is in custody since 22.11.2025.

5. Learned APP for the State has opposed the



application for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the recovery of the syrup is not huge and has been made from the joint possession of the petitioner and other family members and further charge-sheet has already been submitted, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khajanchi P.S. Case No. 390 of 2025, subject to the conditions that:

(I) One of the bailors will be a family member/close relative.

(II) The petitioner shall appear on each and every date till conclusion of trial and also getting the charges framed if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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