

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10761 of 2026

Arising Out of PS. Case No.-318 Year-2024 Thana- PIPRA District- Supaul

Sanoj Kumar S/o- Subhash Kumar Yadav R/v- Maheshua Ps- Bharahi Dist-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Prasad, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-02-2026 Heard the parties.

2.The petitioner is named in the F.I.R.
and apprehending his arrest in connection with
Pipra P.S. Case no. 318 of 2024 registered for
the offence under Sections 21(c)/25 of NDPS
Act.

3. As per FIR, petitioner said to be
involved in business of illegal Cough Syrup
having total recovery of 115 litres of Wiscop
cough syrup, where one of the constituent is
“Codeine”, which is in prohibited list of drugs as
per NDPS Act, 1985.

4. It is submitted by learned counsel



appearing on behalf of the petitioner that petitioner was implicated with present case only for the reason that he is the owner of the vehicle which found involved carrying Wiscop cough syrup. It is submitted that nothing incriminating appears recovered during investigation till now which may suggest that petitioner was under knowledge for carrying said consignment, in fact, the vehicle, in issue, was given for repairing in garage from where it was misused. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that commercial quantity of "Codeine" was alleged to be seized from vehicle of this petitioner. It is submitted that the factual aspect of this case categorically suggest that petitioner was under culpable mental state in view of Section 35 of NDPS Act for carrying of present consignment as there is



nothing in support of submission that the vehicle, in issue, was given for repairing to garage as claimed. It is submitted that Section 37 of NDPS Act also put rigors to grant bail in case of recovery of commercial quantity.

6. In view of aforesaid factual submission and by taking note of fact as admittedly petitioner was owner of the vehicle which found carrying consignment of Wiscop cough syrup, where one of the constituent was “Codeine”, which is in the prohibited list of drugs as per NDPS Act, accordingly the prayer of anticipatory bail of petitioner stands **rejected**.

(Chandra Shekhar Jha, J)

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