

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59650 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- Sri Nagar District- Purnia

Naimuddin S/O Alauddin Resident of Village- Farkiya, P.S- Bousi, District-
Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Makardhwaj Upadhyay, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-02-2026 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Srinagar P.S. Case No. 63 of 2025 registered for the
offences under Sections 21(C), 22(C), 25 & 29 of the
N.D.P.S. Act.

3. The accused/petitioner is named in the First
Information Report and is in custody since 12.06.2025.

4. As per FIR, 30 liters of Codeine Cough Syrup was
recovered from two motorcycles where petitioner was the
driver of one of the motorcycle.

5. It is submitted by learned counsel appearing on
behalf of the petitioner that the co-accused namely, Majrul



Hque, who was the pillion rider, has been granted bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 64238/2025 dated 12.12.2025.

6. It is submitted by learned counsel that charge has already been framed in this case and one witness has been examined. It is further submitted that Codeine was one of the approved composition of cough syrup, which was manufactured by leading pharmaceutical company and at best it is a case of Drugs and Cosmetic Act, 1940.

7. While concluding argument, it is submitted that petitioner found involved in one more criminal case of similar nature, in which he is on bail, and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as recovery of Codeine Cough Syrup not appears to be recovered from conscious physical



possession of this petitioner, coupled with the fact that petitioner remains in custody since 12.06.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Purnea/concerned court, in connection with Srinagar P.S. Case No. 63 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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