

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87437 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- Sri Nagar District- Purnia

Md. Saif @ Saif Raja Son of Waisi Ahmad Resident of Village- Fariyani,
Ward no. 4, khokna Dakshin, P.S- Srinagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Srinagar P.S.
Case No. 101 of 2025 dated 24-09-2025 registered under
Sections 21(C) of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

3. The allegation is of recovery of 30 bottles of
Codeine cough syrup each containing 100 ml (total 3 litres)
from the bag of the petitioner and 120 bottles of Codeine cough
syrup each containing 100 ml (total 12 litres) from his house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no contraband has been
recovered from the conscious possession of the petitioner or



from his house. It is further submitted that the quantity of the seized Codeine cough syrup is less than the commercial quantity and more than the small quantity. Learned counsel further submits that the mandatory provisions of Section 50 of the NDPS Act have not been complied with, which vitiates the alleged recovery. It is also pointed out that the petitioner has been in judicial custody since 25.09.2025 and has no criminal antecedents. The charge-sheet has already been filed in the case.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

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 learned Special Judge NDPS Act, Purnea, in connection with Srinagar P. S. Case No. 101 of 2025, subject to the following conditions: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother,



sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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