

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92050 of 2025**

Arising Out of PS. Case No.-361 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Md. Intakhab Alam Son of Md. Idris Resident of Village- Barbatta, Ward No. 07, P.S.- Amour, District- Purnea, At present Khurshid Alam Noor Akhat Road, Near Chhoti Masjid, Line Bazar, P.S.- Sahgayak K. Hatt, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner seeks bail in connection with Sahayak Khazanchi P.S. Case No. 361 of 2025 dated 16.10.2025 registered for the offence punishable under Sections 8(c) and 21(c) of the N.D.P.S. Act and Section 27(i)(ii)/27(2) Drugs and Cosmetics Act, 1940.

3. Allegation is of recovery 4.2 litres Codeine Cough Syrup from the shop 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 submitted that 42 bottles each containing 100 ml cough syrup has been recovered and each 100 ml bottle contains 10gm/5ml Codeine Phosphate & Triprolidine HCL and as per the prosecution case, total 4.2 litres prohibited codeine syrup has been recovered. As per N.D.P.S. Act, minimum quantity is 10gm and commercial



quantity is 1000 gm. It is further submitted that seizure list dated 16.10.2025 has been prepared in violation of Section 50 of the N.D.P.S. Act and Sections 103 and 105 of the B.N.S.S.. Lastly, it has been submitted that the petitioner is in custody since 17.10.2025, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

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 (N.D.P.S. Act), Purnea in connection with Sahayak Khazanchi P.S. Case No. 361 of 2025.

(Khatim Reza, J)

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