IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. no. 3747 of 2026

Tuttu Kumar Saw, aged about 24 years, Sex - Male, S/o- Raj Kishore Saw, R/o- Hariharsingh Road, Tetar Toli, P.O.- Bariyatu, P.S.- Bariyatu, Dist.- Ranchi, Jharkhand … Petitioner

Versus

The State of Jharkhand … Opp. Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Rupesh Kumar , Adv.
For the State : Mr. Vishwanath Roy, Spl. PP

02 / 05.05.2026 Heard the parties.

The petitioner has been made accused in connection with Bariyatu P.S. 121 of 2020 (Drugs and Cosmetics Case no. 07 of 2020 instituted under Section 268, 269, 290, 420 of the IPC and Section 18(C), 27 (b) (ii) of Drugs and Cosmetics Act and Section 8A (C) and Section 21 of NDPS.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner was involved in sell and purchase of Codeine in shape of cough syrup and cough syrup containing Codeine in commercial quantity, has been recovered from the co-accused persons. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner has got nothing to do with the seized cough syrup. It is further submitted that only on the basis of the conversation of the petitioner with the co-accused persons, the petitioner has been implicated in this case. It is next submitted that total 25 files (bottles) each of the 100 ml. quantity was recovered in connection with this case.

It is next submitted that the petitioner has been in jail custody since 21.01.2026 , as mentioned in para 21 of this bail application. It is then submitted by learned counsel for the petitioner that the petitioner is ready and willing to co-operate with the trial of the case hence, the petitioner may be admitted to bail.

Learned Spl. P.P. appearing for the State vehemently opposes the prayer for bail and submits that keeping in view the fact that the opium seized is in commercial quantity; the rigors of Section 37 of the N.D.P.S. Act, 1985 is attracted in this case and in the absence of any material to suggest that the petitioner is not guilty of the allegations and that there is no chance of him being not involved in any offence while on bail, the petitioner ought not be released on bail. It is next submitted that, there is every chance of the petitioner absconding if released on bail. It is lastly submitted that the prayer of the petitioner for bail, be rejected.

Considering the serious nature of allegation against the petitioner and recovery of opium in commercial quantity and in the absence of any material to suggest that the petitioner is not guilty of the allegations or that there is no chance of him not committing any offence if admitted to bail; this Court is not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the above-named petitioner is rejected.

(**ANIL KUMAR CHOUDHARY, J.)**

Dated 05.05.2026
Smita/-