2026:AHC:227765

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 3150 of 2026

Rahul Kumar

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ananya Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE VIVEK KUMAR SINGH, J.

1. Supplementary affidavit filed today is taken on record.

2. Heard learned counsel for the applicant, learned counsel for the informant and learned A.G.A. for the State and perused the record.

3. The applicant-Rahul Kumar, was granted interim anticipatory bail in the present case by this Court vide order dated 04.06.2026. The said order is quoted herein below:

> *"1. Heard Ms. Ananya Shukla along with Ms. Sakshi Mehrotra, learned counsel for the applicant, Sri Nitesh Kumar, learned AGA for the State and perused the record.*
>
> *2. The present application has been filed by the applicant seeking bail in anticipation of his arrest in Case Crime No. 20/2026, under Sections 8/21/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at P.S. Friends Colony, District Etawah.*
>
> *3. As per the prosecution story, the applicant was transporting codeine syrup in Essar Container No. HR38AG 3172, which was stopped by the police and seized on the ground that no GPS system was installed in the container and it did not have a Digi Locker facility. Upon search, 400 packets containing codeine syrup were recovered from the container.*
>
> *4. Learned counsel for the applicant has submitted that the applicant is license holder to sale and stock the drugs specified in Schedule-C and*

Schedule C(i) of the Drugs and Cosmetics Act, 1940 and he is also authorized to stock and sale the codeine syrup. It is further submitted that there is violation of rules regarding transportation even the case would not fall under the NDPS Act as the codeine syrup cannot be treated as contraband article so far as applicant is concerned, who is registered owner of Devine Enterpises situated in Bihar and purchased the codeine syrup from Windlas Biotech Limited, Deharadun, which is a licensed manufacturers.

5. Learned counsel for the applicant submitted that this case was adjourned on four occasions on the request of learned AGA and counter affidavit has also been filed, which does not show that the applicant has violated any provisions of NDPS Act.

6. Per contra, learned A.G.A. has informed that this case shall be argued by learned Additional Advocate General, Sri Anoop Trivedi, therefore, the matter may be adjourned for the day.

7. Considering the aforesaid submissions, the case is adjourned for the day.

8. List this case on 09.07.2026 as fresh.

9. In the meantime, in the event of arrest, the applicant Rahul Kumar involved in the aforesaid crime be released on interim anticipatory bail, till next date of listing, on furnishing a personal bond and sureties each in the like amount to the satisfaction of the SHO concerned with the following conditions:-

(i) The applicant shall make himself available for interrogation by a police officer as and when required;

(ii) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) The applicant shall not leave India without the previous permission of the Court;

(iv) The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation.

(v) The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

10. In case of breach of any of the above conditions, it shall be a ground for cancellation of interim anticipatory bail."

4. Pursuant to aforesaid order dated 04.06.2026, the applicant is regularly appearing before the learned trial court, which is clear from perusal of order sheet appended along with the supplementary affidavit dated 01.11.2026. The applicant is regularly appearing before the learned trial court, therefore, there is no requirement of custodial interrogation of the applicant.

5. In view of above, the interim anticipatory bail granted to the applicant vide order dated 04.06.2026 is hereby made absolute. The applicant will remain on anticipatory bail till conclusion of trial on the same terms and conditions as given in the order dated 04.06.2026 passed by this Court.

6. The anticipatory bail application stands allowed.

7. In default or misuse of any of the conditions mentioned in the order dated 04.06.2026 the Public Prosecutor/ Investigating Officer/ first informant-complainant would be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant, before the concerned court.

(Vivek Kumar Singh,J.)

November 2, 2026
Nitendra

Digitally signed by :-
NITENDRA TIWARI
High Court of Judicature at Allahabad