

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Anticipatory Bail Application No. 542/2026

Md. Dilkash Rameez Versus State of Bihar

A N D

Anticipatory Bail Application No. 674/2026

Md. Imtiyaz Vs. The State of Bihar

Ishakchak P.S. Case No. 52/2026

Counsel for the Petitioners : - Sri Sridhar Kumar Verma, Advocate.
: - Sri Kaushalendra Nath Sahay, Advocate.
For the State : - Sri Sridhar Singh, Special Public Prosecutor.

Date of Order	Order with Signature of the Court
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16-04-2026	1. A.B.P. No. 542/2026 has been filed on behalf of accused/petitioner, Md. Dilkash Rameez and A.B.P. No. 674/2026 has been filed on behalf of accused/petitioner, Md. Imtiyaz, under Section 482 B.N.S.S., seeking pre-arrest bail. Both anticipatory bail applications arise out of the same case i.e. Ishakchak P.S. Case No. 52/2026, instituted for offences u/s 223, 292, 275, 276, 3(5) B.N.S. & u/s 21(c), 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985. Since, both aforesaid anticipatory bail applications arise out of same case, hence, both have been taken up together for hearing & disposal by a common order. 2. Heard Sri Sridhar Kumar Verma and Sri Kaushalendra Nath Sahay, learned counsels for the petitioners and Sri Sridhar Singh, learned Special Public Prosecutor for the State. 3. Prosecution case in brief is that in the morning of 06-03-2026 at about 5.30 AM, the informant S.I. Rajeev Kumar of Ishakchak P.S. along with other police personnel proceeded in special raid for recovery of illegal intoxicated substance and in course whereof the informant received a secret information that Dilkas Ramij and Md. Imtiyaz are keeping huge quantity of codeine cough syrup in the ground floor of the house and also they will sold huge quantity of codeine cough syrup on the occasion of Holi festival. It is further alleged that Md. Farhan, who happens to be the brother of Dilkas Ramij, is also helped in carrying the said codeine cough syrup. Thereafter, the informant informed the Senior Officer as

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well as Drug Inspector on telephone. It is further alleged that when the police team reached at the house of Dilkash Ramij where the informant saw that a person came out from the house having a bag in his hand and having seen the police, he became nervous. The person was apprehended and on interrogation, he disclosed his name as Md. Farhan. It is further alleged that for the purpose of search, a notice u/s 50 of NDPS Act was served upon him and when the bag, which was carried by him, was searched in presence of Drug Inspector then RJT-SCEN, Cough linctus codeine phosphate & triprolidine hcl. Syrup batch no. CBL25-1271 total five pieces each containing 100 ml, RJT-SCEN, Cough linctus codeine phosphate & triprolidine hcl. Syrup Syrup batch no. CBL25-1260 total eight pieces each containing 100 ml and a mobile phone were recovered. Accordingly, the recovered materials were seized as per seizure list. Upon being asked regarding recovered cough syrup, the apprehended accused disclosed that he along with his brother Dilkash Ramij and his partner Md. Imtiyaz are engaged in the business since several years. Thereafter, confessional statement of apprehended accused was recorded and on his disclosure when the police team searched the joint flat of Dilkash Ramij and Md. Farhan then total 67 cartoons in which in each cartoon 120 pieces of RJT-SCEN, Cough linctus codeine phosphate & triprolidine hcl. Syrup Syrup batch no. CBL25-1276, CBL25-1271, CBL25-1273, CBL25-1275, CBL25-1269 each containing 100 ml i.e. total $67 \times 120 = 8040$ pieces. Were found. Further, a cartoon in which 70 packets of Nitrazepam Tablets IP 10 mg Aspam-10 tablet and in each packet 300 tablets were found and batch no. T19604 was mentioned total 21000 tablet were recovered. Accordingly, the recovered materials were seized as per seizure list. The apprehended accused person was formally being arrested and he was remanded to judicial custody and on the basis of typed application of informant the present case has been instituted.

4. The learned counsels for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire allegation against the petitioners are false and concocted. It has been submitted that no any incriminating article has been recovered from possession of petitioners rather the alleged recovery has been made from joint flat which in the joint occupation of other persons. It has further been submitted the names of

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petitioners has come in this case on the basis of confessional statement of co-accused. The petitioners bear clean antecedent.

5. On the other hand, learned Special Public Prosecutor vehemently opposed the prayer for grant of bail to the petitioners on the ground that commercial quantity of contraband materials has been recovered from a flat which is in joint occupation of petitioners.
6. Perused the case record as well as case diary. It appears that in course of investigation the I.O. has mentioned the contents of seizure lists at para 2 and 3 of the case diary. The contents of notice u/s 50 of NDPS Act has been mentioned at para 5 of the case diary. The contents of confessional statement of co-accused Md. Farhan Ahmad has been mentioned at para 6 of the case diary and from perusal whereof it transpires that the said co-accused apart from admitting his guilt before police, also disclosed the names of petitioners. The restatement of informant has been recorded at para 9 of the case diary whereas at para 10, 11, 14 and 15 of the case diary statements of witness S.I. Raushan Kumar, Drug Inspector Rajeev Kumar Ranjan and independent witnesses Md. Akram Parwej and Md. Sajid have been mentioned and from perusal whereof it transpires that the informant in his restatement reiterated his earlier version whereas the other witnesses have supported the prosecution case and the fact of recovery of contraband material from a joint flat of petitioner Md. Dilkash Ramij and co-accused Md. Farhan. At para 37, 38, 39 and 40 of the case diary, the statements of other police witnesses have been mentioned and all these witnesses have fully supported the prosecution case as well as recovery of contraband materials from the possession of co-accused and from the joint flat of the petitioner Md. Dilkash Ramij and co-accused Md. Farhan. Both petitioners are doing the business of prohibited cough syrup in partnership since several years.. The investigation of the case is still going on.
7. After having gone through the documents & the materials available on record, this court finds that the accused-petitioners are named in the FIR with allegation that when on secret information, the police arrested the co-accused then codeine cough syrup were recovered from a bag which was carried by him. Further, on the disclosure of co-accused when the joint flat of the petitioners was searched then huge quantity of codeine cough syrup and tablets were recovered. During

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course of investigation, the witnesses have fully supported the prosecution case as well as recovery of contraband materials from the possession of co-accused as well as from the joint flat of the petitioner Md. Dilkash Ramij and co-accused Md. Farhan and petitioner Md. Imtiyaz were partner in their illegal NDPS crime. The investigation of the case is still going on.

8. Therefore, considering the nature and seriousness of allegation, the complicity of the petitioners in the alleged occurrence, huge recovery of contraband, its impact on the society and the fact that investigation of the case is still going on, this court is of the view that it is not a fit case for grant of anticipatory bail to the petitioners. Accordingly, the aforesaid two anticipatory bail petitions of the above named two petitioners are hereby rejected.

9. Thus, both anticipatory bail applications are here by disposed of.

Sd/-
(Dipankar Pandey)
Principal Sessions Judge.