

In the Court of Sessions Judge/Special Judge (NDPS), Patna

BAIL APPLICATION No.-1379/2026
(Arising out of NCB Crime No.15 of 2025)

Surya Prakash @ Gini

-----**Accused-Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

O R D E R

15-06-2026

1. The present application for regular bail has been filed on behalf of the **accused-petitioner, Surya Prakash @ Gini**, who is incarcerated since 18.05.2026 in connection with **NCB Crime No. 15 of 2025** dated 01.12.2025, registered under **Sections 8(c) and 21(c) of the NDPS Act**.
2. Heard Sri Sonu Kumar Singh, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. P.P. on behalf of the State.
3. The prosecution case, in brief, is that on 01.12.2025 at about 07:00 hours, on receipt of reliable secret information that a warehouse situated at Subhash Nagar, New Jaganpura, Road No. 4, Patna, owned by Sanjay Kumar and rented out to the petitioner, Surya Prakash, was being used for illegal storage and trade of codeine-based cough syrups, a raiding team was constituted. The raiding team reached the said premises at about 09:30 hours. However, no one arrived to open the premises till 11:30 hours. During enquiry, Sanjay Kumar, the godown owner, disclosed that he had let out the godown to Surya Prakash, who was repeatedly contacted but failed to arrive and subsequently switched off his mobile phone. Thereafter, Surya Prakash, during telephonic conversation, consented to the search and authorized breaking open of the lock. Accordingly, in the presence of two independent witnesses, namely Raju Kumar and Rohit Kumar, the lock of the warehouse was broken open by Sanjay Kumar, the owner of the godown. Upon search of the premises, a large quantity of codeine-based cough

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syrups was recovered, details of which are as follows: WISCOF Cough Syrup (100 ml each): 656 bottles; RTX-SCEN Cough Syrup (100 ml each): 1,518 bottles; CODIVA Cough Syrup (100 ml each): 144 bottles; BLUREX-T Cough Syrup (100 ml each): 89 bottles; Thus, a total of 2,407 bottles (each bottle contains 100 ml) of codeine-based cough syrup were recovered from the premises.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case merely on suspicion. It was further contended that, although the petitioner has prior criminal antecedents, nothing incriminating has been recovered from his conscious possession and seized contraband does not belong to him. Learned counsel also argued that alleged godown is not owned by him and that the mandatory provisions of the NDPS Act were not complied with during the course of investigation and that the petitioner has remained in judicial custody since 18.05.2026. On these grounds, a prayer was made for grant of regular bail to the petitioner.
5. *Per contra*, the learned Special Public Prosecutor submitted that a huge quantity of contraband (Codeine Syrup) was recovered from the possession of the petitioner, i.e. 2,407 bottles (each contains 100 ml) from petitioner's rented premises. It was further argued that the petitioner has two criminal antecedents lodged vide (i) Malsalami P.S Case No.58/2026 under Section 111 of the BNS and Section 21(c) of NDPS Act; and (ii) Bihta P.S. Case No.278 of 2025 under Section 30(a) of the Bihar Prohibition and Excise Act. He further emphasized that the investigation is still in progress and that the charge-sheet has not yet been submitted. Considering the gravity and seriousness of the allegations, it

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was argued that the petitioner is not entitled to the privilege of bail.

6. Having regard to the nature of the accusation; **the recovery of total 2407 bottles (each contains 100 ml) of Codeine Syrup**; the submissions advanced by the learned Special Public Prosecutor; the petitioner's two prior criminal antecedents, one being for offence under NDPS Act; and the fact that the investigation is still in progress and the chargesheet has yet to be filed, this Court is not inclined to grant bail.
7. Accordingly, the application for regular bail filed on behalf of the **petitioner, Surya Prakash @ Gini**, is hereby **rejected**.

(Dictated)

Sd/

(Rupesh Deo)
Sessions Judge/Special Judge (NDPS),
Patna

Date of Order	15.06.2026
Date of Reserving Order	11.06.2026
Uploading Date	15.06.2026
Uploaded by	Santosh/-