

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20889 of 2018

Arising Out of PS.Case No. -502 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Md. Asfaque Alam S/o Late Abdul Gafur, R/o Vill.- Sisauna, P.S.-
Araira, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with G.O.
Case No. 01 of 2018 arising out of Sadar P.S. Case No. 502 of
2017 registered under Sections 272, 273, 420, 327, 162/34 of the
IPC, Sections 27(d), 28, 28(A), 22(b) of NDPS Act, Section 8/9 of
Prevention of Corruption Act and Section 30, 36, 38 and 47 of the
Bihar Prohibition and Excise Act, 2016.

315 liters of cough syrup is said to have been
recovered from the Innova vehicle and petitioner and co-accused
Gopal Kumar Jha sitting in the said vehicle were apprehended and
at the instigation of apprehended accused persons other three



accused persons were also apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. Petitioner, who was commuter of the aforesaid vehicle, had no knowledge of keeping of the aforesaid liquor in the vehicle. Petitioner has been falsely implicated in this case merely on suspicion. He has no criminal antecedent. He has been languishing in custody since 30.12.2017. Similarly situated co-accused person, namely, Gopal Kumar Jha has been allowed bail in Cri. Misc. No. 12479 of 2018 by a different co-ordinate Bench of this Court.

In the facts and circumstances of the case, the above named petitioner is also directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge, Darbhanga in connection with G.O. Case No. 01 of 2018 arising out of Sadar P.S. Case No. 502 of 2017.

(Prakash Chandra Jaiswal, J)

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