

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22109 of 2019**

Arising Out of PS. Case No.-640 Year-2018 Thana- ARARIA District- Araria

1. Mujahid @ Mojahirul Hasan @ Majhirul Hasan Son of Noorul Hasan @ Md. Nurul Hasan. Resident of Village - Dumariya ward no. 05, P.S.- Raniganj, Distt - Araria.
2. Samshad Son of late Nabir Resident of Village - Dumariya ward no. 05, P.S.- Raniganj, Distt - Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party : Mr.Pradeep Narain Kumar, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      08-07-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending arrest in a case registered under Sections 30a, 36, 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that police seized 800 liters of Cough Syrup from a white colour Scorpio vehicle and arrested its driver who disclosed that the said consignment was being transported to petitioner no. 1. It is further alleged that petitioner no.2 fled away from the spot at the time of checking of the vehicle.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and their name



has come in the case on the confessional statement of the driver of the vehicle who was caught at the spot. Learned counsel for the petitioners submits that the petitioners are no way concerned with the recovered cough syrup or with the seized vehicle. There is no recovery from the possession of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below it within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II cum Special Judge, Araria in Spl Case No. 1139 of 2018, Araria Beirgachhi Police Station Case No. 640 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Shashi

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