

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4662 of 2020

Arising Out of PS. Case No.-862 Year-2019 Thana- ARARIA District- Araria

MD. SADDAM Son of Late Jalil @ Abdul Jalil Resident of Village-
Chandradai, Ward No.6, P.S.- Araria (R.S.), Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise(Amendment) Act, 2018.

The prosecution case as per the self statement of Shailendra Kumar Mishra, SI-cum-SHO, Araria Police Station dated 6.10.2019 is to the effect that from the medical shop of co-accused Roshan Kumar, 190 bottles each of 100 ml of Codeine cough syrup were recovered. The petitioner's name sprang up on the statement of co-accused Roshan Kumar.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP submits that the name of the petitioner sprang up on the statement of co-accused Roshan Kumar.

Considering the fact that recovery has not been made from the petitioner and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ II -cum-Special Judge, Araria in connection with Araria P.S. Case No.862 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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