

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11371 of 2020**

Arising Out of PS. Case No.-575 Year-2019 Thana- ARARIA District- Araria

JUBER @ MD. JUBER ALAM S/o Mahiro Sah R/o Village- Pipra, Bijwar,
P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 11-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application for grant of anticipatory bail arises
out of Araria (Bairgachhi) Police Station Case No. 575 of 2019,
disclosing offence under Sections 30 (a)/36 of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner, as per the First
Information Report, is that the police intercepted one pick-up
van and recovered 4160 bottles of cough syrup, containing
codeine. It has further been alleged that the driver was
apprehended, who disclosed that the consignment was meant for
the petitioner and one Md. Uber of Araria.



Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of the statement made by the driver of the pick-up van. He, referring to paragraph 11 of this application, submits that the pick-van in question does not belong to the petitioner and the petitioner has got no concern with the alleged consignment of cough syrup. He further submits that the petitioner has got no criminal antecedent.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner is not the owner of the pick-up van and he has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Araria, in connection with Araria (Bairgachhi) Police Station Case No. 575 of 2019, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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