

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19167 of 2020**

Arising Out of PS. Case No.-259 Year-2019 Thana- JOGBANI District- Araria

Md. Shamshul @ Shamshul Ansari Son of Late Amir Resident of Village -  
Khajurbari, Ward No.07, P.S.- Jogbani, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      04-06-2020                      Heard learned counsel for the petitioner and  
learned APP for the State through video conferencing.

The petitioner who is in custody since 6.11.2019 has filed the instant application for grant of regular bail in connection with Jogbani P.S. Case no. 259 of 2019 registered under sections 30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016 and sections 27(b)(ii), 28(r)(w) and 36 of the Drugs and Cosmetics Act.

As per allegation in the FIR, on a raid being conducted, while two persons managed to escape, one person namely Raja Kumar was caught and with respect to various medicinal tablets recovered from his house, he stated that the same has been given to him by the three other accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The name of the petitioner transpired in the confessional statement of co-accused made before police.



He has not been arrested on the spot, no incriminating article has been recovered from his possession and he is in custody since 6.11.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above submissions made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jogbani P.S. Case no. 259 of 2019 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Araria.

**(Partha Sarthy, J)**

Prakash/-

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