

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26841 of 2020**

Arising Out of PS. Case No.-76 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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RAJEEV @ RAJEEV KUMAR Son of Munna Lal @ Munna Lal Savida
Resident of Village- Sohar Ramnagar, P.S.- Mlawn, District- Etah (Uttar
Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr. Uday Chand Prasad

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

2 16-10-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with
Excise Complaint Case No. 76 of 2020, registered for the
offences punishable under Section 22 of the Narcotic Drugs and
Psychotropic Substances Act, 1985 and Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.

The allegation, as per the prosecution report, is that
the Excise Officials intercepted one truck, bearing registration
no. PB 11 BR/9951 and recovered 20,000 bottles of 100 mg
each of Phensadyne Cough Syrup, kept in 200 cartons. It is
further disclosed by the Excise Officials that quantity of



Codeine in the seized cough syrup is 4 kgs. The Excise Officials also arrested two persons, namely, Sriram Yadav (driver of the truck) and the petitioner, who claims to be the Assistant Driver.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has no concern with the seized articles and the petitioner is neither the owner of the truck nor the driver of the truck and co-accused Sriram Yadav, who is the driver of the truck in question, has been granted bail by this Court, vide order, dated 15.09.2020, passed in Criminal Misc. No. 22479 of 2020. He further submits that the petitioner is in custody since 06.03.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that co-accused, the driver of the truck, has been granted bail by this Court and the petitioner is the Assistant Driver, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum-



Special Judge, Excise, Gopalganj, in connection with Excise
Complaint Case No. 76 of 2020.

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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