

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1194 of 2020

Arising Out of PS. Case No.-140 Year-2019 Thana- JALALGARH District- Purnia

1. BHANU SINGH Son of Sri Rajnish Singh Resident of Mohalla - Thana Chaowk, P.S.- K. Hat, Distt - Purnea.
2. Dilkhus Kumar @ Dilkhush Kumar Son of Sri Shiv Shankar Yadav @ Shiv Shankar Prasad Yadav Resident of Mohalla - Girja Chaowk, P.S.- K. Hat, Distt - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Special Case No. 32 of 2019 arising out of Jalalgarh P.S. Case No. 140 of 2019 for the offence registered under Sections 272, 273 and 420 of the Indian Penal Code, Section 30(a) of the Bihar Excise (Amendment) Act, 2018, Sections 27(b), (99), 27(2) and 28 of the Drug and Cosmetic Act, 1940 and Section 21(b) of the NDPS Act.

The allegation is regarding recovery of several bottles of cough syrup containing codeine from a tempo and the petitioners are stated to be passengers of the said tempo.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and they are having clean antecedents. It is further submitted



that the petitioners are languishing in custody since 13.11.2019. Lastly, it is submitted that the petitioners were just passengers in the said auto rickshaw and they are not having any complicity in the matter.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners as also taking into account the nature of accusation coupled with the fact that the petitioners are having clean antecedents and they are stated to be the passengers in the said auto rickshaw, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Purnea in connection with Special Case No. 32 of 2019 (NDPS Act) arising out of Jalalgarh P.S. Case No. 140 of 2019.

(Mohit Kumar Shah, J)

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