

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25822 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- ARARIA District- Araria

MD. JAHANGIR Son of Late Ziyauddin Resident of village - Islam Nagar,
Ward no.27, P.S.- Araria, Distt.- Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Kundan Kumar Singh, Advocate
		Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s :		Mr.Kumar Ranjit Ranjan, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Special Case No. 28 of 2021 arising out of Araria P.S. Case No. 22 of 2021 registered for the offences punishable under Section 30(a) of Excise Act, 2016.

According to prosecution case, the informant on the basis of confessional statement of accused Md. Jahangir recorded in Araria P.S. Case No. 18 of 2021 raided the house of one Shabnam and recovered 595.80 litres codeine cough syrup.



The informant further alleges that petitioner confessed that he had kept the said cough syrup in the rented house of Shabnam.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case only on the basis of suspicion. Name of the petitioner came in this case on the basis of self confessional statement made in Araria P.S. Case No. 18 of 2021. Petitioner is in custody since 18.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, 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 the learned 2nd Additional Sessions Judge cum Special Judge, Araria in connection with Special Case No. 28 of 2021 arising out of Araria P.S. Case No. 22 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

