

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21331 of 2020

Arising Out of PS. Case No.-161 Year-2020 Thana- PURNEA SADAR District- Purnia

MD. ENAMUL HAQUE @ PRINCE @ INAMUL HAQUE Son of Abdul Mogni Resident of Village - Ranibari, Damka, Gulabbagh, P.S.- Sadar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr.Kundan Kumar Singh, Adv.
For the Opposite Party/s :		Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-01-2021 Heard the learned counsel for the petitioner and
Shri Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Special Case No. 08/2020, CIS No. 08/2020 arising out of Purnea Sadar P.S. Case No. 161 of 2020 for the offence punishable under Sections 274, 275, 276 of the Indian Penal Code, Section 21 (c) of NDPS Act, Sections 27(b)(ii), 27(d), 28 Drugs and Cosmetics Act and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of cough syrup bottles, containing codeine phosphate syrup, from the house of the petitioner.

The learned senior counsel appearing for the petitioner, Shri N.K. Agrawal, submits that the petitioner is



innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 05.05.2020. The learned Senior counsel for the petitioner has further submitted that the petitioner has in fact given his premises on rent for godown purposes and in support thereof he has referred to Annexure-2 to the present petition, which is a rent agreement.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on records as also those available in the case diary, this Court finds that prima facie, miniscule evidence is available, as far as the petitioner is concerned, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS, Purnea in connection with Special Case No. 08/2020, CIS No. 08/2020 arising out of



Purnea Sadar P.S. Case No. 161 of 2020.

(Mohit Kumar Shah, J)

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