

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28663 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- BALIYA District- Begusarai

MD. ISHTEAQUE Son of Md. Hussain Resident of Village - Kaswa Ward no. 11, P.S. - Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur (Sr. counsel)

: Mr. Nilesch Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8, 21, 22 and 25 of the N.D.P.S Act.

As per the prosecution case, 50 bottles of relaxo cough syrup was recovered from the room of the co-accused Md. Shamshad.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. 50 bottles of cough syrup was recovered from the room of the co-accused while nothing has been recovered from the



possession of the petitioner. The said Relaxo cough syrup is an *Ayurvedic* product and the detail of its chemical ingredients is not explained. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.02.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner along with co-accused deals in Relaxo cough syrup and at the instance of the petitioner the said Relaxo cough syrup was recovered from the room of the co-accused.

Considering the aforesaid facts and circumstances of the case as well as the fact that there is no recovery of contraband from the possession of the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Baliya P.S. Case No. 31 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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