

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42016 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- JALALGARH District- Purnia

Sanhawaj @ Md. Sahnawaj Alam @ Md. Shahnawaj Alam S/O Md. Soyeb
Alam R/o village- Rahariya, P.S.- Jalalgarh, District- Purnea, State- Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Preety Kunwar, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 Heard.

The petitioner seeks regular bail in connection with Special Case No. 35 of 2021 (NDPS Act) arising out of Jalalgarh P.S. Case No. 85 of 2021, registered for the offence punishable under Sections 272, 273 of the Indian Penal Code, under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, Sections 21(a)/ 22 (b) of the Narcotic Drugs and Psychotropic Substance Act, 1985 and Section 27(b) of Drugs and Cosmetic Act.

The allegation is regarding recovery of 10 bottles of Codeine cough syrup, containing 100 ml in each bottle from the shop of the petitioner.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 27.05.2021. The learned counsel for the petitioner has further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 29.10.2021 passed in Cr. Misc. No. 42895 of 2021.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail.

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 record as also considering the fact that meagre quantity of Codeine cough syrup has been recovered from the shop of the petitioner and the petitioner is stated to be having a clean antecedent as also is languishing in custody since a long time, 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 regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Purnea in



connection with Special Case No. 35 of 2021 (arising out of
Jalalgarh P.S. Case No. 85 of 2021).

(Mohit Kumar Shah, J)

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