

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46570 of 2021

Arising Out of PS. Case No.-175 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. MD. MUKHTAR Son of Abdul Jabbar @ Jabbar Resident of Village - Sehalo , P.S.- Amour, Distt.- Purnia.
2. Md. Sadique Anwar @ Md. Saquib Anwar Son of Khalique Resident of Village - Bher Mar, P.S.- Amour, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with K. Hat (Sahayak)P.S. Case no. 175 of 2021 instituted for the offence punishable under Sections 275 and 276 of the Indian Penal Code.

Prosecution case relates to recovery of codine mixed cough syrup.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The matter relates to



Drugs and Cosmetics Act but the same has been registered under Excise and NDPS Act, which does not attract in the present case. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with K. Hat P.S. Case no. 175 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Purnia subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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