

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53954 of 2021**

Arising Out of PS. Case No.-85 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

1. CHHOTU DAS S/O TUNTUN DAS RESIDENT OF MOHALLA-BHIKHANPUR, GUMTI NO.-2, P.S.- ISHAKCHAK, DISTRICT-BHAGALPUR
2. CHHOTU KUMAR @ NUNU S/O LATE MAHAVIR DAS RESIDENT OF MOHALLA- BHIKHANPUR, GUMTI NO.-2, P.S.- ISHAKCHAK, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 12-05-2022 Pursuant to the order dated 5.5.2022, the Investigating Officer of the Ishakchak P.S. Case no. 85 of 2020 is present with the antecedent report of the two petitioners from which it transpires that the petitioners have no criminal antecedent.

Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1794 bottles of cough syrup was recovered from possession of the petitioner no. 1 and 12 bottles of cough syrup was recovered from possession of the petitioner no. 2. It is stated that the same containing codeine comes under the N.D.P.S. Act.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They have been falsely implicated in the case. They are in custody since 19.9.2020 and have no criminal antecedent. Chargesheet has been submitted in the case. They undertake to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the petitioners having remained in custody for 1 year 7 months, not having any criminal antecedent and investigation in the case having concluded, the petitioners are directed to be enlarged on bail in connection with NDPS Case no. 20 of 2020 (arising out of Ishakchak P.S. Case no. 85 of 2020) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XI, Bhagalpur.

Appearance of the Investigating Officer is dispensed with.

(Partha Sarthy, J)

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