

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48722 of 2022

Arising Out of PS. Case No.-214 Year-2022 Thana- KUMAR KHAND District- Madhepura

Saben Yadav S/o Pancham Yadav R/o village- Belari, Ward No. 01, P.S.-
Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 11-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Kumarkhand (Belari) P.S. Case No. 214 of 2022 lodged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, total 8 piece of cough
syrup has been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the codeine syrup contains N.D.P.S. material but the present
case has been filed under Excise Act. Counsel further submits
that in 8 piece of 100 ml cough syrup shall contain 0.8 gm of

codeine phosphate which is N.D.P.S. material and it is less than the small quantity. Counsel submits that petitioner is in custody since 26.06.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Madhepura cum-Special Judge, Excise-1st, Madhepura in connection with Kumarkhand (Belari) P.S. Case No. 214 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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