

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52964 of 2022**

Arising Out of PS. Case No.-629 Year-2022 Thana- ARARIA District- Araria

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Jahoor @ Zahoor Son Of Late Gayas, Resident Of Village- Thengapur, P.S.-  
Jokihat, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      20-10-2022                      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.

The petitioner seeks regular bail in connection with  
Araria P.S. Case No. 629 of 2022 lodged under Sections 30(a),  
41(a) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the total recovery of 1024  
liters of cough syrup brand name Corex has been made from  
mini Truck.

Learned counsel for the petitioner submits that false  
case has been lodged by the prosecution as the cough syrup is  
medicine comes under category of Drugs and Cosmetic Act. He  
further submits that Bihar Prohibition and Excise Act is not

applicable in this case. He further submits that petitioner is the cleaner of the Truck and at the time of cleaning the Truck the Police has apprehended him. He further submits that petitioner is in custody since 23.07.2022 and his antecedent is clean.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the 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 Special Judge Excise-II, Araria in connection with Araria P.S. Case No. 629 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.)**

ravishankar/-

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