

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5384 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- GALGALIYA District- Kishanganj

1. MD. KHAN Son of Late Saffar Khan Resident of Village - Lakadi Dipu, P.S.- Galgalia, District - Kishanganj.
2. Sariga Khatun Wife of Md. Khan Resident of Village - Lakadi Dipu, P.S.- Galgalia, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Tiwary
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Galgalia P.S. Case No. 55 of 2022 registered for the offence under Sections 8(C)/21(b) N.D.P.S. Act and Section 30(a) of the Bihar Prohibition & Excise Act.

The prosecution story, in brief, is that after getting secret informant the house co-accused Md. Munna was raided and arrested these petitioners. Upon search, 68.10 gram of brown sugar, 750 ml of foreign liquor as well as Nepali currencies were recovered from house of co-accused.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. The petitioners have no concern with the alleged recovery of incriminating articles or with the co-accused. From perusal of seizure list, it appears that the alleged recovery has been made from house of co-accused namely, Md. Munna Khan. A statement has been made in para-3 of the petition that the petitioners have got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 7.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Galgalia P.S. Case No. 55 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J-II, cum-Special Judge (Excise)-1, Kishanganj (Bihar).

(Sunil Kumar Panwar, J)

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