

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5170 of 2023

Arising Out of PS. Case No.-532 Year-2022 Thana- FORBESGANJ District- Araria

Md. Gufran @ Gufran Son Of Zakrul @ Md. Jakrul Resident Of Village -
Bokra, Ward No.- 07, P.S.- Forbesganj (Simraha), Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 379, 414, 420/34 of the Indian Penal Code and Section 21(c) of N.D.P.S. Act.

The prosecution case relates to recovery of 93 litres of Codeine cough syrup and 5400 Netravet tablets and Rs. 10,00,000/-(Ten lakhs rupees) from car bearing registration number BR-11AT-1686, 128 litres of Codeine cough syrup from Car bearing registration number BR-11AW-0977, 77.5 litres of Codeine cough syrup from car



bearing registration number BR-11R-2615 and 248 litres of Codeine cough syrup from car bearing registration number BR-11AX-3227. Several co-accused persons were apprehended from the spot. It is further alleged that apprehended co-accused persons disclosed the name of petitioner as one of his associates.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner has been surfaced in the instant case on the confessional statement of co-accused person, before the police, which has no evidentiary value in the eye of law. He has no concern either with the alleged vehicles, apprehended co-accused persons or with the alleged recovered contraband. Neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 16.12.2022 passed in Cr. Misc. No. 46190 of 2022. It is further submitted that the petitioner is languishing in judicial custody since



20.10.2022.

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 as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Forbesganj P.S. Case No. 532 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Araria.

(Sunil Kumar Panwar, J)

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