

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7476 of 2023

Arising Out of PS. Case No.-468 Year-2022 Thana- MURLIGANJ District- Madhepura

ANKIT KUMAR S/O SIKENDRA YADAV Resident of Village-
Pithahi, Ward No.- 11, P.S and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 21 (B) of the NDPS Act
and Section 30 (a) of the Bihar Prohibition and Excise
(Amendment) Act.

As per prosecution case, on secret information
received, police party started checking and upon search there
has been recovery of 550 bottles, each bottle containing 100ml
of codeine mixed cough-syrup i.e., total 55 litre from the Dickey
of Baleno Car.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern either the vehicle or with the seized narcotics like



substance (codeine syrup). The provision of Section 100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. Nothing incriminating article has recovered from the conscious possession of the petitioner. He further submitted that the other co-accused namely Sawan Kumar has already been granted bail. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 11.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned concerned Court in connection with Murliganj P.S. Case No. 468 of 2022.

(Sunil Kumar Panwar, J)

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