

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9114 of 2023

Arising Out of PS. Case No.-243 Year-2022 Thana- ARARIA District- Araria

Naiyar Son Of Gabul R/O Village- Ajmalpur (MAINAPUR), P.S.- Araria
(BAIRGACHHI O.P.), District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9622 of 2023

Arising Out of PS. Case No.-243 Year-2022 Thana- ARARIA District- Araria

NAIM Son of Fagu @ Iliyas Resident of Village- Bhagwanpur, Ward No.-4,
P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9114 of 2023)

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Bishweshwar Ram

(In CRIMINAL MISCELLANEOUS No. 9622 of 2023)

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for grant of bail in
connection with Araria (Bairgachhi) P.S. Case No. 243 of
2022 registered under sections 272, 273 of the Indian Penal
Code, Sections 30(a) of the Bihar Prohibition and Excise



Act and Sections 21(a), 21(b) and 21(c) of the NDPS Act.

Prosecution case relates to recovery of 501 liters of Eskuf codeine syrup from different vehicles.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from their conscious possession. They have no concern either with the vehicle in question or with the seized codeine syrup. There is no independent witness of the seizure list. It is further submitted that during investigation, no any independent witness has supported the prosecution case. Moreover, they are languishing in judicial custody for more than three months.

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 this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Araria (Bairgachhi) P.S. Case No. 243 of 2022 on furnishing bail



bond of Rs. 10,000/- (Rupees ten thousand) each with two
sureties of the like amount each to the satisfaction of the
learned Special Judge, Araria.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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