

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10121 of 2023

Arising Out of PS. Case No.-330 Year-2022 Thana- RAGHOPUR District- Supaul

1. Prince Kumar @ Prince Kumar Gupta Son Of Rajendra Gupta @ Rajendra R/O Village- Rampur Bantra, P.S.- Nandganj, District- Gazipur, U.P.
2. Buchchi Lal Son Of Sitaram R/O Village- Shriganj, P.S.- Nandganj, District- Gazipur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23508 of 2023

Arising Out of PS. Case No.-330 Year-2022 Thana- RAGHOPUR District- Supaul

MD. ISTAKHAR @ ISTAKHAR ALAM S/O LATE MAKBUL Resident of Village- Ghuski Tola, Ward No.- 14, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Union Of India, Through Ncb, Patna, Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10121 of 2023)

For the Petitioner/s : Mr.Suresh Mukhiya

For the Opposite Party/s : Mr.Bharat Bhushan

(In CRIMINAL MISCELLANEOUS No. 23508 of 2023)

For the Petitioner/s : Mr.Mazher Alam

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail in connection with Raghopur P.S. Case No. 330 of 2022 registered for the offence under Section 21(c) of the N.D.P.S. Act.

As per prosecution case, the informant along with



police party reached near N.H-57 and arrested the accused petitioners along with a vehicle bearing Registration no. UP-61T-6220. Upon search of the said vehicle, 6900 bottles of Phensedyl Chlorpheniramine Maleate & Codeine Phosphate Cough Linctus recovered.

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 narcotic substance or with the vehicle in question. Nothing has been recovered from conscious possession of the petitioners. It is further submitted the the said recovery does not come under purview of commercial quantity as per N.D.P.S. Act. The petitioners have got no criminal antecedents. It is further submitted that the petitioners are languishing in judicial custody for more than ten months.

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 custody of the petitioners, this court is inclined to enlarge the them on bail. The above named petitioners are directed to be



released on bail in connection with Raghopur P.S. Case No. 330
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 Sessions Judge-cum-Special Judge, N.D.P.S., Supaul.

(Sunil Kumar Panwar, J)

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