

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10991 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- SAKRI District- Madhubani

-
1. ANSH RAJ @ NITISH @ NITISH KUMAR S/o Om Prakash Yadav R/o Parwaha, ward no. 01, P.S.- Gamhariya, Distt- Madhepura.
 2. Ravi Raushan S/o Laxman Mehta R/o Tarawe, P.S.- Gamhariya, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioners have prayed for bail in a case instituted for the offence under Section 414 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016 and Sections 21,22 of NDPS Act.

Prosecution case relates to recovery of 156.500 litres of Codeine cough syrup from a Honda Car bearing Reg. No. BR43F9366 of which co-accused Ravi Roshan was driver and petitioner was sitting behind.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed



no offence. Petitioner has no concern with the seized vehicle or with the seized cough syrup. The seizure list is manipulated by the police officials. Police has not complied the mandatory provision of Section 50 of the NDPS Act. The alleged recovery comes below the commercial quantity. He has been falsely implicated in this case. Similarly situated other accused person has already been enlarged on regular bail by order dated 17.08.2022 passed in Cr. Misc. No. 13547 of 2022. Petitioner is languishing in judicial custody since 30.12.2022.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Madhubani in connection with Sakari P.S. Case No. 292 of 2022.

(Sunil Kumar Panwar, J)

lata/-

U			
---	--	--	--

