

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12931 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Md. Hasnu @ Md. Hasna @ Md. Hasan S/O Md. Ilyas @ Md. Hazi Ilyash @
Chhanguri @ Chhago Resident Of Village- Hasanganj Bandhu Modi Lane,
P.S.- Babarganj, District- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2023 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 273 and 276 of the IPC and Sections 30(a) of the Bihar Prohibition and Excise Act and Sections 18/27 of the Drugs and Cosmetics Act and Sections 21/22 of the NDPS Act.

As per FIR, it is a case of recovery of total 100 bottles of 100 ml Cough Linctus RJT Syrup and 99 bottles of 100 ml Dialex DC Cough Syrup, which was recovered from the house of the petitioner and he was also



apprehended on the spot.

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 petitioner has no concern with the alleged recovery rather he lives in a joint family and as per NDPS Act, the recovered articles does not come within the purview of commercial quantity. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.08.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mojhaiddpur (Babarganj) P.S. Case No. 301 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 Additional Sessions Judge-I-cum Special Judge



Drugs and Cosmetic Act, Bhagalpur.

(Sunil Kumar Panwar, J)

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