

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13008 of 2023**

Arising Out of PS. Case No.-281 Year-2022 Thana- MADHEPURA District- Madhepura

Bhushan Yadav @ Bhushan Kumar Son Of Umesh Yadav R/O Village -  
Bharrahi Tola, Ward No.- 03, P.S.- Madhepura (Bharrahi O.P.), District -  
Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      05-05-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has prayed for bail in a case  
registered for the offence punishable under sections 414  
of the Indian Penal Code, Section 21 (b), 22(b) of  
N.D.P.S. Act and Section 30(a) of the Bihar Prohibition  
and Excise Act.

Prosecution case relates to recovery of 11 litres  
of Codeine Phosphate Triprolidine Hydrochloride Wiscof  
Syrup from the maize field and a stolen motorcycle from  
the house of petitioner.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by the apprehended co-accused, Babul Kumar, before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 19.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 Sessions Judge-cum-Special Judge,  
N.D.P.S. Act, Madhepura in connection with Madhepura  
(Bharrahi) P.S. Case No. 281 of 2022.

**(Sunil Kumar Panwar, J)**

Nirajkrs/-

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