

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13728 of 2023

Arising Out of PS. Case No.-584 Year-2022 Thana- RAXAUL District- East Champaran

1. Sanjay Ram Son Of Nandu Ram R/O Vill.- Aherwa Tola, Ward No. 7 P.S.- Raxaul, Distt.- East Champaran
2. Ainul Haque Mian Son Of Md. Abdullah Mian R/O Vill.- Baraa Pareuawa, Ward No. 17, P.S.- Raxaul, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioners have prayed for regular bail in a case registered for the offence punishable under section 21b of the NDPS Act.

The prosecution case relates to recovery of 20 bottle (100 ml each) of Codiwell Syrup and 60 bottle (100 ml each) Wincirex Syrup, which were recovered from Dankan Road. It is further alleged that petitioners were apprehended on the spot.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on the basis



of suspicion. The petitioners have no concern with the alleged recovery nor any intoxicating material has been recovered from their conscious possession rather it was recovered from an open place. They have got no criminal antecedent. It is further submitted that seized article does not come under the purview of the commercial quantity. The petitioners are languishing in judicial custody since 10.12.2022.

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 petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Raxaul (Hariya O.P.) P.S. Case No. 584 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 Sessions Judge-cum-Special Judge, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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