

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17016 of 2023

Arising Out of PS. Case No.-1466 Year-2022 Thana- KAHALGAON District- Bhagalpur

Sheikh Mustakim S/O Sheikh Zalim Resident Of Village- Khurma, P.S.-
Dhanraiya, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kahalgaon P.S. Case No. 1466 of 2022 instituted for the offence punishable under Sections 21(1)a/22 of N.D.P.S. Act read with Section 18(C), 27 of the Drugs and Cosmetic Act.

3. The prosecution case in short is that, on 24.12.2022 upon a secret information, informant along with other police personnel reached community hall and started checking. During the checking, a total of 204 bottles contraband cough syrup has been recovered from the cartoon kept on motorcycle of the petitioner. After preparing the seizure list, the petitioner was arrested.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that it is apparent from the record that the petitioner was arrested on 24.12.2022 however, the petitioner was produced before the court on 26.12.2022 after 24 hours of arrest. It is further stated that the petitioner has no concern with the seized motorcycle or seized articles. Lastly, it has been submitted that the petitioner is in custody since 26.12.2022 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Bhagalpur in Kahalgaon P.S. Case No. 1466 of 2022.

(Khatim Reza, J)

Sankalp/-

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