

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32814 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- PATNA JN RPF/POST District- Patna

Kausar Ali son of Sahjahan Ali Village- Anarkali Ps- Barari Dist- Katihar

... .. Petitioner/s

Versus

1. The Union of India, through the Director NDPS Govt. of India Bihar
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Munish Kumar
		Ms. Minakshi Kumari
		Mr. Munna Raj
For the Opposite Party/s :		Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 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 Section 274, 275, 276 of the Indian Penal Code and Sections 29, 21(C) of N.D.P.S. Act.

The prosecution case relates to recovery of total 9.400 liter Phensadyl cough syrup from the violet colour trolley bag of the petitioner.

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 alleged recovery of cough syrup does not come in the purview of NDPS Act and this



cough syrup is not a contraband article. It is further submitted that seizure list has not been prepared in accordance with law. Moreover, the petitioner is languishing in judicial custody since 07.03.2023

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 period of 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 Patna Junction P.S. Case No. 141 of 2023 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/ Special Judge , Patna.

(Sunil Kumar Panwar, J)

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