

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35180 of 2023

Arising Out of PS. Case No.-338 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

PINTU KASERA @ PRASHANT KUMAR @ PRASANT KUMAR S/o-
RAM KUMAR KASERA K-3H, Habibpura Chetganj Varanasi Ps- Varanasi
Dist- Varanasi U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 414 of Indian Penal Code read with Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act 2022, and Section 8 (c), 21 (c), 22 and 29 of the N.D.P.S. Act.

3. It is alleged that 24000 pieces containing 100 ML each of Eskuf Cough Syrup was recovered from pick-up van and apprehended disclose the name of the petitioner and the person who supplied the said syrup for its delivery to Araria .

4. It is submitted that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement



of co-accused Dilip Kumar. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. It is further submitted that petitioner runs a medical shop and in the course of his business whatever order comes to the petitioner's shop he gives that order along with the proper bill. He is neither the owner nor driver of the vehicle in question. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition.

6. Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Special Judge (Excise) Court No. 2, Kaimur at Bhabua in connection with Ramgarh Police Station Case No. 338 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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