

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39266 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- MURLIGANJ District- Madhepura

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SANJEEV KUMAR Son of Late Umesh Paswan Resident of village - Turkahi
ward no. 10, P.s. - Madhepura (Bharrahi O.P), Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Barun Kumar Singh

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 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 30(a) of the Bihar
Prohibition and Excise Act and Section 21(b) of the NDPS Act.

Prosecution case relates to recovery of 33 litres of
Codeine Phosphate and Triprolidine Hydrochloride Cough Syrup
from a car which was being driven by the petitioner and he was
apprehended on spot while two other accused persons managed
to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. He has no concern
with the alleged recovery. The seized articles belongs to other



accused persons, who managed to escape. Nothing has been recovered from his conscious possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. He is languishing in judicial custody since 5.3.2023.

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, 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 Additional District and Sessions Judge 5th-cum-Special Judge Excise Act 1st, Madhepura in connection with Murliganj P.S. Case No. 78 of 2023.

(Sunil Kumar Panwar, J)

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