

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39125 of 2023

Arising Out of PS. Case No.-1004 Year-2022 Thana- SUPAUL District- Supaul

Mukesh Yadav Son Of Late Dev Narayan Yadav Resident Of Bela Ward No. 15, Ps- Supaul, District- Supaul, Present Address- Balitol Mohaniya, Ward No. 15,Ps- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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(c) of the NDPS Act.

Prosecution case relates to recovery of 15 litres of prohibited Codeine Phosphate and Triprolidine Hydrochloride Cough Syrup from the house of co-accused Raushan Kumar Sah and he was apprehended on spot and he disclosed the name of the petitioner from where he bought the cough syrup and from his house, 30 litres of cough syrup was also recovered.

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. Nothing has been recovered from his conscious possession. Raushan Kumar Sah, co-accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 3.5.2023 passed in Cr. Misc. No. 8498 of 2023. 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 30.04.2023.

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 Sessions Judge-cum-Special Judge, NDPS, Supaul in connection with Supaul (Lokha OP) P.S. Case No. 1004 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

