

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43969 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- MURLIGANJ District- Madhepura

DILKHUSH KUMAR S/O PARKASH SAH RESIDENT OF VILLAGE -
RAHTA WARD NO. 10, PS- KUMARKHAND, DIST- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 31-07-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Murliganj P.S. Case No. 124 of 2023 dated 04.04.2023 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act and Section 21(a) of the N.D.P.S. Act.
4. As per the prosecution case, two pieces codeine containing cough syrup, (100 ml each), is alleged to have recovered from the possession of the petitioner whereas six pieces of the same cough syrup were recovered from the dicky



of the motorcycle.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is not of commercial quantity. The petitioner has no concern with the alleged recovery. The petitioner is not the owner of the vehicle. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura in connection with Murliganj P.S. Case No. 124 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

U		T	
---	--	---	--

