

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43356 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- MANJHI District- Saran

MILAN TATI S/O BALIRAM TATI R/O VILLAGE- SAYADPUR
VISHNPUR, PS. NAVKOTHI, DIST. BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-12-2023 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 sections 27(B)(ii)28, of Drugs and Cosmetic Act and Sections 8(c)/22(c) of the N.D.P.S. Act.

The petitioner was apprehended on the spot along with one truck and upon search total 3850 liter Phensedyl cough syrup was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to high handedness of the police officials. The petitioner has no concern with the alleged recovery nor he is owner of the alleged truck.



As per Para-3 of the Supplementary Affidavit, 3850 liter cough syrup contains 654.50 grams of codeine which does not come within the purview of commercial quantity. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 04.03.2023.

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, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Manjhi P.S. Case No. 79 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-cum-Special Judge, Saran at Chapra.

(Sunil Kumar Panwar, J)

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