

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51733 of 2023

Arising Out of PS. Case No.-127 Year-2023 Thana- KASBA District- Purnia

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BABLA SON OF MD. RIYAJUL R/O-LAL KHAN TOLA, NISHIGANJ,
P.S.-SADAR (MUFFASIL), DISTT.-PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 275 and 276/34 of the Indian Penal Code, Section 30(a) of the Bihar Prohibition and Excise Act, 2016 as well as Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

4. Allegation is of recovery of 159 litres of cough syrup from the Scorpio Vehicle.

5. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated as his mobile number was



found in the mobile of co-accused Shahbur Alam @ Shahbuddin. It is next submitted that petitioner is not the owner of the alleged cough syrup.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kasba P.S. Case No. 127 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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