

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62492 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- MADHEPURA District- Madhepura

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GANESH KUMAR S/O JANARDAN YADAV VILLAGE- MANHARA,
WARD NO. 10, PS- MADHEPURA, DIST- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mrs. Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 21(C) of N.D.P.S. Act and 30(a) of Bihar Prohibition and Excise Act 2018.

3. Allegedly, 88.900 liters of codin syrup is said to have been recovered from the place of occurrence. One motorcycle is also said to have been recovered from the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that the petitioner has been made



accused in the present case because he is the owner of the seized motorcycle but the matter of fact is that he has sold the said vehicle to one Umesh Kumar and the same has been released in his favour. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Madhepura P.S. Case No.470 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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