

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66264 of 2023**

Arising Out of PS. Case No.-384 Year-2023 Thana- Excise P.S. District- Begusarai

PREM KUMAR SON OF PRAMOD SINGH VILL-KHORAMPUR WARD
NO.6 PS-MATIHANI DIST-BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-10-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Let the defect(s), if any, be removed within a
period of four weeks from today.

3. The petitioner seeks bail in connection with Excise
P.S. Case No. 384 of 2023 registered for the offence under
Sections 30(a) and 32(3) of the Bihar Prohibition and Excise
Act.

4. As per the prosecution case, the petitioner has been
caught with 201.600 liter of Cough Syrup containing Codine.

5. Learned counsel for the petitioner submits that the
was had falsely been implicated in this case as nothing has been



recovered from his physical possession and he was just riding the tempo for a short distance after taking lift.

6. Learned counsel for the petitioner also submits that the petitioner is in custody since 29.08.2023.

7. In the opinion of the Court, the police should examine as to whether this case should have been registered under relevant Sections of the NDPS Act or not. It appears that the Begusarai Police is not aware of the law of the land.

8. Learned A.P.P. has vehemently opposed the prayer for bail.

9. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. II, Begusarai in connection with Excise P.S. Case No. 384 of 2023.

11. As a condition of this order, the petitioner will mark his attendance at Matihani Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.



12. Let a copy of this order be communicated to the Superintendent of Police, Begusarai through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

Vikas/-

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

