

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67786 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- GWALPARA District- Madhepura

NIRAJ KUMAR S/o- BUDHAN YADAV Village- Chandika Asthan W.no-11,
Ps- Sonbarsa Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act and section 21(C) of the NDPS Act.

3. The petitioner along with co-accused Nicko Kumar is said to have been apprehended with a motorcycle from where, 9.5 liters of Codeine cough syrup was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of cough syrup or with the



vehicle in question. No any incriminating article has been recovered from conscious possession of the petitioner. The petitioner is languishing in judicial custody since 18.7.2023. Moreover, similarly situated co-accused namely, Nicko Kumar has already been granted bail by this Court vide order dt. 13.10.2023 passed in Cr. Misc. No. 65512 of 2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. 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. The above named petitioner is directed to be released on bail in connection with Gwalpara P.S. Case No. 130 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 District and Sessions Judge, Madhepura.

(Sunil Kumar Panwar, J)

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