

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70502 of 2023

Arising Out of PS. Case No.-260 Year-2022 Thana- JOGBANI District- Araria

SHUKLA MIYA @ MD. MUSTAK Son of Adalat Miya, Resident of Village -
Tikuliya Basti, Jogbani, Police Station - Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 sections 21, 22 of the N.D.P.S. Act.

3. As per prosecution case, there is recovery of 200 bottles of codeine rich Dialex DC cough syrup behind house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no recovery from conscious possession of the petitioner. Whatsoever, recovery of cough syrup has been shown from backside of the house of the petitioner but the petitioner has no concern with it. It is also



submitted that the prosecution party has not followed the provision of N.D.P.S. Act. It is further submitted that the petitioner is languishing in judicial custody since 17.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Jogbani P.S. Case No. 260 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Araria.

(Sunil Kumar Panwar, J)

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