

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72470 of 2022

Arising Out of PS. Case No.-467 Year-2022 Thana- AMARPUR District- Banka

MD. FAIYAZ @ MD. DABLU ANSARI @ MD. DABLU S/o Late Abdul
Rajjak R/o Village- Mohammadpur, P.S.- Amarpur, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 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 & Excise Act.

3. As per FIR, prosecution case relates to recovery of total 1830 liters of cough syrup from under constructed house of the petitioner and the petitioner is said to have apprehended on spot.

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 due to *mala-fide* intention. The petitioner has no concern with the alleged recovery of prohibited cough syrup. Nothing incriminating article has been



recovered from conscious possession of the petitioner. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 25.8.2022.

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 period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amarpur P.S. Case No. 467 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 Addl. District & Sessions Judge-II, Banka.

(Sunil Kumar Panwar, J)

Amandeep/-

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

