

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82527 of 2023

Arising Out of PS. Case No.-648 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

1. BADSHAH RAHMANI @ BADSHAH SON OF EDARIS @ EDIRISH R/O VILLAGE- GANGAPUR, WARD NO.7, P.S.- ROHANIYA, DISTRICT- VARANASI (U.P.)
2. SALMAN ALI @ SALMAN SON OF RAFIK R/O VILLAGE- NADOI, P.S.- SINDORA, DISTRICT- VARANASI (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE UNION OF INDIA THROUGH NCB, PATNA, BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Excise P.S. Case No. 648 of 2023 registered for the offence
under Sections 8(C), 21(C), 29 of the NDPS Act.

3. As per prosecution case, the petitioners are said to
have been apprehended with a auto rickshaw from where 11.5
liters of Codeine Phosphate Tri Prolidine Hydrochloride Syrup
was recovered.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. The petitioners are only driver and cleaner of the seized auto but they have no concern with the alleged recovery of codeine syrup. They have got no criminal antecedent as stated in para-3 of the bail petition and they are languishing in judicial custody since 24.9.2023.

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 period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Excise P.S. Case No. 648 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-Cum-Special Judge, Kaimur at Bhabua.

(Sunil Kumar Panwar, J)

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