

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81375 of 2023

Arising Out of PS. Case No.-731 Year-2022 Thana- ARARIA District- Araria

Konian Alam @ Mohammad Kaunain @ Konain Alam S/o-late Ekram @
Mohammad Ekram R/V- Chhoti Lahthora, Ward No 6, Ps- And Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 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.

3. Prosecution case relates to recovery of 390 liters of codeine syrup from the 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. His name has come on the basis of secret information. He was not apprehended on spot and nothing has been recovered from his conscious possession. He has no concern with the seized articles. Similarly situated other co-accused person has already been granted bail by another co-



ordinate Bench of this Court vide order dated 29.11.2023 in Cr. Misc. No. 76333 of 2023. Moreover, the petitioner is languishing in judicial custody since 09.08.2023.

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 in connection with Araria P.S. Case No. 731 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 Exclusive Special Judge Excise-I, Araria.

(Sunil Kumar Panwar, J)

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