

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5221 of 2024

Arising Out of PS. Case No.-880 Year-2023 Thana- Excise P.S. District- Banka

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Md. Mahabub Son Of Md. Ali Resident Of Bardhani, Ward No. 02, Police
Station-Bidhan, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 30(a)(f), 31, 47 of the Bihar Prohibition &

Excise Act.

There is recovery of 25000 sachets of Codeine

Phosphate Syrup containing 2500 litres of Codeine from

a truck and petitioner being driver of the truck was

apprehended.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner was only the driver of the truck in question and he was not aware about the codeine syrup being loaded on the truck. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the syrup. The petitioner is languishing in custody since 30.11.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District &



Sessions Judge-V, Banka in connection with Banka
(Excise) P.S. Case No. 880 of 2023.

(Sunil Kumar Panwar, J)

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