

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11234 of 2024

Arising Out of PS. Case No.-718 Year-2023 Thana- ARARIA District- Araria

Mohd. Naim @ Md. Naim S/O LATE MD. AYUB VILLAGE- GAIYARI,
WARD NO. 14, PS. AND DIST. ARARIA.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s
Appearance :
For the Petitioner/s : Mr.Vijay Kishore Bharti
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 21(c), 22(c)
of the N.D.P.S. Act.

As per FIR, on suspicion, three co-accused persons
were apprehended on the spot and from their possession total
124.8 liter Eskuf Syrup was recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in the present merely on the basis of
suspicion. The petitioner has no concern with the alleged
recovery and he was not apprehended on the spot. It is



submitted that nothing incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by this Court vide order dated 02.12.2023 passed in Cr. Misc. No. 74504 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 09.11.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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. 718 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions-cum-Special Judge, NDPS Act, Araria.

(Sunil Kumar Panwar, J)

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