

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8122 of 2024

Arising Out of PS. Case No.-546 Year-2023 Thana- JOKIHAT District- Araria

MD. JAHUR @ JAHUR @ JAHRUL S/O GAYAS R/O VILLAGE-
THENGAPUR, P.S- JOKIHAT, DISTT.- ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 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 21(c), 22(c) of the NDPS Act.

3. As per FIR, the prosecution case relates to recovery of total 640 liter Eskuf cough syrup from a pickup van and co-accused persons were apprehended on the spot and they confessed that the petitioner was also their associate.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of confessional statement of



co-accused persons which is not admissible in the eye of law. The petitioner has no concern with the alleged recovery. Neither the petitioner was put on apprehended on the spot nor any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 27.12.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Jokihat P.S. Case No. 546 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 Judge-cum-Special Judge NDPS Act, Araria.

(Sunil Kumar Panwar, J)

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