

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54588 of 2023

Arising Out of PS. Case No.-524 Year-2023 Thana- ARARIA District- Araria

MD. KAMRAN @ KARU @ KAMRAN son of Moulvi Jafiruddin @
 Mohammad Jafool VILLAGE- HARIYAWARA WARD NO 10, POLICE
 STATION- ARARIA, DISTRICT ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar Pandey, Advocate
	Mr. Madan Mohan, Advocate
	Mr. Ritik Sah, Advocate
	Mr. Rahul Ray, Advocate
	Ms. Kumari Pallavi, Advocate
For the Opposite Party/s :	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

9 28-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Araria (R.S.) P.S. Case No.524 of 2023 registered for the offence under Sections 21, 22 and 23 of the N.D.P.S. Act.

3. Allegation against the petitioner is to have involved in illegal trade of narcotic drug along with other co-accused persons, where, there is recovery of total 727.700 litres of syrup containing codeine from the Godown of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that petitioner was not arrest on spot, where, his name surfaced on the basis of confessional statement of other co-accused, namely, Md. Naushad Alam. It is submitted that recovery of alleged syrup containing codeine was not made from conscious physical possession of the petitioner rather the same was recovered from a godown, which was jointly occupied by the other family members. It is further submitted that the petitioner has no concern with the alleged recovery. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 29.05.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Araria (R.S.) P.S. Case No.524 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS, Araria.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a



period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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