

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73745 of 2023**

Arising Out of PS. Case No.-151 Year-2023 Thana- JALALGARH District- Purnia

Md. Shahnawaz S/O Late Md. Jahangir Resident Of Village-Raipur Matia P.S.  
Mufassil, Distt-Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                       |
|----------------------------|---|-----------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. N.K. Agarwal, Sr. Adv<br>Mr.Dr. Bidhu Ranjan<br>Ms. Diksha Kumari |
| For the Opposite Party/s : |   | Ms.Sharda Kumari                                                      |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      22-01-2024                      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 sections 8(c) and 21(c) of the NDPS Act.

3. As per prosecution case, there has been recovery of total 354.8 liters of codeine syrup from the house of co-accused persons who apprehended on spot and they said that they purchased the same from this 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. The petitioner was not apprehended on spot and and also nothing has been recovered



from the conscious possession of the petitioner. He has no concern with the seized articles. Similarly situated other co-accused persons who were apprehended on spot, have already been granted bail by this Court vide order dated 18.12.2023 in Cr. Misc. No. 68691 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.08.2023.

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 **after framing of charge if the charge is not framed** in connection with Jalalgarh P.S. Case No. 151 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 Special Judge, (NDPS) Act, Purnia.

**(Sunil Kumar Panwar, J)**

Shubham/-

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