

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76795 of 2023

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

Md. Konain @ Kounain @ Konain Alam Son Of Late Md. Ekram @ Md. Ekhalak Resident Of Village - Lahtora, Ward No.- 06, P.S.- Araria, District - Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 21(C), 22(C) of N.D.P.S. Act.

As per the allegation in F.I.R, 124.8 litres of codeine ESKUF surup from two cars bearing Reg. No. WB-02Y-4244 and BR-11K-7323. Petitioner was apprehended on spot and was alleged to be the driver of Santro car bearing Reg. No. WB-02Y-4244, from which 84.8 litres of ESKUF syrup has been recovered.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner has no concern either with the alleged recovered contraband or with the car in question. Moreover, the petitioner is languishing in judicial custody since 24.07.2023. similarly situated co-accused persons, namely, Khaja @ Ismail and Asgar @ Asgar Ali has been granted bail vide order dated 02.12.2023, passed in Cr. Misc. No. 74504 of 2023 & Cr. Misc. No. 74520 of 2023 respectively.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Araria P.S. Case No. 718 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Session



Judge-cum-Special Judge, N.D.P.S. Act, Araria.

(Sunil Kumar Panwar, J)

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