

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78547 of 2024

Arising Out of PS. Case No.-577 Year-2024 Thana- FORBESGANJ District- Araria

-
1. Manjar Alam Son of Tohid Alam R/o- Rampur South, ward No. 03, P.S.- Fobesganj, District -Araria
 2. Tamjid Alam @ Tamjid Son of Tohid Alam R/o- Rampur South, ward No. 03, P.S.- Fobesganj, District -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate
For the State : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-11-2024 Heard the parties.

2. The petitioners are in judicial custody in connection with Forbesganj P.S. Case No. 577 of 2024 for the offences punishable under Section 21(c) of the N.D.P.S. Act, lodged on 13.09.2024 by the informant, Rajababu Paswan.

3. As per the prosecution story, the informant alleged that upon information it raided the place and there is recovery/seizure of 4.80 liters of codeine cough syrup, this led to the F.I.R., arrest.

4. Learned counsel for the petitioners submit that the petitioners do not have criminal antecedent, they do not own the alleged shop nor have anything to do with the alleged recovery,



in any case, it is even below the small quantity of 10 gram.

5. Learned APP for the State opposes the prayer submitting that recovery/seizure of codeine is there against these petitioners.

6. Considering the submissions put forward by the parties as also the fact that it is below the commercial quantity, they are in custody since 14.09.2024 (paragraph no.14 of the petition) having no criminal antecedent, this Court is inclined to extend them the privilege of bail.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions-cum-Special Judge, NDPS Act, Araria, in connection with Forbesganj P.S. Case No. 577 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned



police station every fortnight for next one year to mark his attendance;

(iv) the petitioners shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

