

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80247 of 2023

Arising Out of PS. Case No.-1149 Year-2022 Thana- FORBESGANJ District- Araria

1. Nazrana Praveen @ Nazrana D/o Anwarul R/o Vill - Mainpur, P.S. - Forbesganj, Dist - Araria
2. Jakira Khatoon @ Jakira D/o Irfan R/o Vill - Mainpur, P.S. - Forbesganj, Dist - Araria
3. Juhi Praveen W/o Firoz R/o Vill - Mainpur, P.S. - Forbesganj, Dist - Araria
4. Md. Afroz @ Afroz Alam S/o Md. Irfan R/o Vill - Mainpur, P.S. - Forbesganj, Dist - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-01-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Forbesganj PS case no. 1149 of 2022, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code and Section 21(b) of N.D.P.S. Act.
3. At the outset, learned counsel for the petitioners does not wish to press the bail application *qua* petitioner no. 4.
4. Accordingly, bail application *qua* petitioner no. 4 stands dismissed as withdrawn.
5. The prosecution story, as per the First Information



Report, is that on 03.11.2022, 160 bottles of 100 ml each of Corex cough syrup was recovered and one person namely Feroze was arrested by the police. It is further alleged that total 16 liters of codeine was found in 160 bottles of Corex cough syrup. It is further alleged that petitioners along with other co-accused persons attacked the police party, assaulted the police personnel and got freed accused Feroze from the custody of the police, however police arrested four persons and one of the arrested accused namely Manzar Alam had disclosed that he along with other petitioners and accused persons were engaged in selling Codeine Cough Syrup.

6. Learned Counsel for petitioners submits that petitioners no. 1, 2 and 3 are lady members of the family and have falsely been implicated in this case on the basis of disclosure of their names by one of the four arrested accused persons. It is further submitted that petitioners no. 1 to 3 are women folk of the family and have not committed any offence in the manner alleged.

7. Having regard to the facts and circumstances of the case and taking into consideration the fact that petitioner no. 4 along with other accused persons prevented the police party in discharging their official duties and



got arrested accused person namely Feroze, free from the custody of the police but considering the fact that the bail application *qua* him stands dismissed as withdrawn and all other petitioners are ladies, I am inclined to grant the privilege of anticipatory bail to petitioners no. 1 to 3.

8. This application is, accordingly, allowed.

9. Let petitioners no. 1 to 3, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S.-cum-Sessions Judge, Araria in connection with Forbesganj PS case no. 1149 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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