

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76361 of 2023

Arising Out of PS. Case No.-275 Year-2023 Thana- DAGARUA District- Purnia

Md Shahnawaz S/O Late Md. Jahangir R/O Raipur Matia, Ps-Muffasil,
District- Purnia

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Aggarwal, Sr. Adv.
Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 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 8, 21(c) of N.D.P.S.
Act and Sections 27(b)(ii)/28 of Drugs and Cosmetics
Act.

As per the allegation in F.I.R, one country made
pistol and 13 live cartridges have been recovered from
the possession of the petitioner. It is further alleged that
on search of the vehicle which is alleged to be driven by



the petitioner, 129.9 litres of syrup containing codeine phosphate.

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 with the alleged recovery. It is further submitted that the alleged recovered narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 11.08.2023.

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 Dagarua P.S. Case No. 275 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 Special Judge, N.D.P.S. Act, Purnia.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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