

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82173 of 2023

Arising Out of PS. Case No.-428 Year-2023 Thana- PARBATTa District- Khagaria

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Santosh Sharma @ Chhotelal Sharma S/O Late Arjun Sharma Resident Of
Sumeri Tola Village Laxmipur, P.O.- Khajaraitha, P.S.- Parbatta, Distt.-
Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Sager Sharma, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Parbatta P.S. Case No. 428/2023 lodged on 15.09.2023 under
Sections 30(a) and 30(f) of the Bihar Excise and Prohibition
(Amendment) Act, 2022.

3. As per the prosecution case, the total recovery of
74.5 litres codeine syrup is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The alleged
syrup contains less than the small quantity. The petitioner is
accused in two more criminal cases which does not belong to



the NDPS and Excise Act and he is in custody since 16.09.2023.
Moreover, the chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer
for bail.

6. In the present facts and circumstances of this case
and the submissions made above, let the petitioner above
named, be granted bail on furnishing bail bonds of Rs.30,000/-
(Rupees Thirty thousand) with two sureties of the like amount
each to the satisfaction of Special Excise Judge-II, Khagaria,
subject to the conditions as laid down under Section 437(3) of
the Code of Criminal Procedure.

(Dr. Anshuman, J)

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