

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79332 of 2023

Arising Out of PS. Case No.-538 Year-2023 Thana- NARPATGANJ District- Araria

AFROZ @ MD AFROZ S/O MD. SOIB @ SOIB R/O VILLAGE- PREM
NAGAR, WARD NO. 14, PS. ARARIA (R.S), DIST. ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 82625 of 2023

Arising Out of PS. Case No.-538 Year-2023 Thana- NARPATGANJ District- Araria

WASHIQUE @ MD WASHIQUE SON OF BAZRUL RESIDENT OF
VILLAGE - MASURIYA, WARD NO.08, P.S. - MAHALGAON, DISTRICT
- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 79332 of 2023)

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 82625 of 2023)

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Special Case no.81 of 2023, arising out of Narpatganj P.S. Case no. 538 of 2023, registered under section 21(c) of the NDPS Act.

3. As per the prosecution case, 220 litres of cough syrup with Codeine was recovered from the vehicle in question and the two petitioners herein were taken into custody.



4. Learned counsel for the petitioners submits that no incriminating article has been recovered either from the possession of the petitioners or from the vehicle in question. They have been falsely implicated in the case. They are in custody since 13.9.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioners having remained in custody for 5 months since 13.9.2023 and charge-sheet having been submitted in the case, both petitioners are directed to be enlarged on bail in connection with Special Case no. 81 of 2023 (arising out of Narpatganj P.S. Case no. 538 of 2023), on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Sessions Judge-cum-Special Judge, NDPS Act, Araria.

(Partha Sarthy, J)

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