

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84659 of 2023

Arising Out of PS. Case No.-329 Year-2023 Thana- Excise P.S. District- Khagaria

Nandan Kumar @ Nandan Paswan Son Of Ashok Paswan Resident Of Village
- Mathurapur, P.S. - Khagaria (Town), District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the petitioner is said to have been apprehended by police with a Tata Manza Vehicle from where, 688 bottles of 100 ml, total 68 liters of Codeine cough syrup was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is only driver of the seized vehicle but he has no concern with the alleged recovery of cough syrup. It is also submitted that the alleged



recovery of cough syrup does not come under preview of commercial quantity. He has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 12.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 329 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise 2nd, Khagaria.

(Sunil Kumar Panwar, J)

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