

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84435 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- GOGRI District- Khagaria

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GULSHAN KUMAR S/O LALIT SAH R/O VILLAGE- SHERGARH, P.S-
GOGRI, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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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 bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, on getting secret information police party proceeded at the shop of the petitioner and recovered 240 litres codeine cough syrup from there.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. In 240 litres of codeine cough syrup, total quantity of codeine is 480 gram,



which is lesser than the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 26.09.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge 1st, Khagaria in connection with Gogri P.S. Case No. 351 of 2023.

(Sunil Kumar Panwar, J)

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