

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85085 of 2023

Arising Out of PS. Case No.-289 Year-2023 Thana- SINGHESHWAR District- Madhepura

Jitendra Choudhary, Son of Bhupendra Choudhary, Resident of Village -
Singhpur, Ward No.07, P.S. - Gamharia, District – Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Adv.

For the State : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act and Section 21(c) of the N.D.P.S.
Act.

3. As per prosecution case, there has been recovery of
1182 bottles of Codeine cough Syrup (118.20 liters) from a Car.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot
and he is the owner of the said vehicle. He submitted that the
petitioner has no concern with the alleged recovery of Cough
Syrup. He further submitted that total 118.2 gm Codeine



Phosphate has been recovered from the said car, which does not come under the purview of commercial quantity, as per N.D.P.S. Act. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 27.11.2023.

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

6. Having heard learned counsel for the parties and considering 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 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 Additional District and Session Judge-V-cum-Special Judge, Excise 1st, Madhepura in connection with Singeshwar P.S. Case No. 289 of 2023.

(Sunil Kumar Panwar, J)

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