

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1199 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- JOGBANI District- Araria

Md. Gulab, S/O Md. Kalim @ Kalim Mohammad, R/O Village- Purani
Jogbani, Police Station- Jogbani, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kundan Singh, Advocate Mr. Jamaluddin Ahmad Khan, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Case no. 55 of 2023, arising out of Jogbani P.S. Case no. 178 of 2023 registered under section 414 of the Indian Penal Code, sections 21 and 22 of the NDPS Act and sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the prosecution case, 56 grams of brown sugar and 16 bottles of codeine rich cough syrup was recovered from the possession of the petitioner, besides other articles from the co-accused.

4. It is the case of the petitioner that he has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's possession or from his vehicle.



The reason of false implication has been explained in paragraph no.9 of the petition. The petitioner has no concern with the allegedly seized articles which in any case is below the commercial quantity. He is in custody since 11.7.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

5. Having heard learned A.P.P for the State and having perused the material on record, taking into consideration the allegations in the FIR of recovery of 56 grams of brown sugar from the possession of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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