

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.812 of 2024

Arising Out of PS. Case No.-464 Year-2023 Thana- JOKIHAT District- Araria

Md. Minhaj SON OF LATE AHMED HUSSAIN RESIDENT OF VILLAGE-
BHAGWANPUR WARD NO. 03, PS- JOKIHAT, DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-02-2024 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 sections 21(a), 22(b) of the N.D.P.S. Act.

3. Prosecution case relates to recovery of 31.1 liters ESCUF cough syrup along with 84600 tables of Alpazr from house of the petitioner and the petitioner is said to have been arrested on spot.

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. It is further submitted vide para 9 of the petition that the petitioner has no concern with the alleged recovery of Codeine syrup or tables and the same do not



come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. He has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 1.10.2023.

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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Jokihat P.S. Case No. 464 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 Sessions Judge-Cum-Special Judge (NDPS Act), Araria.

(Sunil Kumar Panwar, J)

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