

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29176 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- GAMAHARIYA District- Madhepura

Md. Rahbar Imroz @ Banti @ Rahbar Imroz Son Of Md. Sarajuddin Resident
Of Village- Khanmirja, Mahendru, Ps- Sultanganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Section 21(c) of the NDPS Act.

3. As per the prosecution case, total 300 liters of
viscous cough syrup has been recovered from inside Innova car
bearing registration no.BR-01PE-5447 of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He next submits that he has committed no offence in
this case and only he was sitting in the car with the driver-cum-
owner of the car, namely, Ravi Kumar as stated in para-8 of the
petition. Petitioner is in custody since 21.02.2024.

5. Learned APP opposes the prayer for bail of the



petitioner and he submits that the said recovery belongs to the vehicle of the petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned Ist Additional District & Sessions Judge-cum-Special Judge, SC & ST(Prevention of Atrocities), Madhepura dated 15.03.2024, it appears that petitioner is named in the FIR and the said recovery was made from the Innova car of the petitioner and on perusal of the case diary, it appears that the statement recorded under Section 161 of the Cr.P.C., the witnesses have supported the version of the first information report. It also appears that one criminal antecedent of the present petitioner as submitted by the learned counsel for the petitioner and in the said case, he has already been acquitted and the recovery of viscous cough syrup is more than commercial quantity, so I am not inclined to grant regular bail to the petitioner.

7. Accordingly, prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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