

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31189 of 2025

Arising Out of PS. Case No.-6 Year-2023 Thana- NIRMALI District- Supaul

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Mohammad Jahangir @ Jahangir S/O Jiyauddin Resident of Village- Ishlam
Nagar Ward No. 26, P.S.- Arriya, Dist.- Arariya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shatrughna Pandey

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nirmali P.S. Case No. 06 of 2023 dated 15.01.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition Excise Act.

3. As per the prosecution case, total 3964 bottles containing 396.4 litres of codeine cough syrup was recovered from the Tata vehicle driven by the co-accused Jitendra Kumar and the other co-accused persons, namely, Om Shankar Prasad and Md Aslam were found sitting in the said vehicle. It is further alleged that the petitioner and the co-accused persons were involved in the said crime.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner rather the said recovery was made from the Tata vehicle and the co-accused Jitendra Kumar, Om Shankar and Md. Aslam were apprehended on the spot. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 28.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who had no valid authorization for keeping the said contraband. The seized recovery is of commercial quantity.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Nirmali P.S. Case No. 06 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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