

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55387 of 2025

Arising Out of PS. Case No.-440 Year-2023 Thana- JOKIHAT District- Araria

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Bijjal @ Warish S/o Basir Resident of Village- Bhagwanpur, Ward no 1, PS -
Jokihat, District- Araria Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey

For the Opposite Party/s : Mr. Umanath Mishra

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

ORAL ORDER

2 07-08-2025 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 Jokihat P.S. Case No. 440 of 2023 dated 17.09.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act and section 414 of the IPC.

3. As per the prosecution case, total 300 bottle (30 litres) of Escuf Codeine syrup was recovered from the two sacks tied with the two motorcycles which were driven accused persons who fled away after parking the said motorcycles in the courtyard of the house of the co-accused Rashid.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. The said recovery was made from the house of the co-accused Rashid whose bail application has already been rejected bail by this Court vide order dated 18.07.2024 passed in Cr. Misc. No. 39667 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the son of the co-accused Rashid.

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, Araria in connection with Jokihat P.S. Case No. 440 of 2023, with following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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