

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88624 of 2024

Arising Out of PS. Case No.-178 Year-2019 Thana- KASBA District- Purnia

Md. Ajimuddin S/O Md. Ishhaque R/O Vil.- Naya Tola, Damka, P.S.- Sadar,
Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.

Mr. Manoj Kumar, Adv.

For the State : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-02-2025 Heard Mr. Uday Chand Prasad, learned counsel for
the petitioner and Mr. Dilip Kumar No. 1, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable u/s 272, 273, 274/34 of the IPC, sections
27(b), (ii), (d), 28 of the Drugs and Cosmetics Act and section
21(b) of the N.D.P.S. Act.

3. Allegedly, 8 cartoons of Codine containing cough
syrup were seized from the spot which were being loaded to a
Scorpio from Magic Goods Carrier vehicle. The Scorpio vehicle
fled away at high speed and it is alleged that petitioner is the
owner of the said Scorpio vehicle.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case. No such occurrence,
in the manner as alleged, has ever taken place. He has been



made accused in this case on the basis that he is owner of the said Scorpio vehicle but this vehicle has not been seized from the spot. Petitioner has neither been apprehended on the spot nor any recovery has been made from his conscious physical possession. He has no concern with the loading or unloading of the said syrup. Petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 28.10.2024.

5. However, learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, since recovery has not been made from the vehicle of petitioner, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kasba P.S. Case No.178/2019, subject to the condition that the petitioner shall co-operate in the trial and if he fails to appear on two consecutive dates his bail bonds shall be liable to be cancelled.

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(Anjani Kumar Sharan, J)

