

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89899 of 2024

Arising Out of PS. Case No.-1149 Year-2022 Thana- FORBESGANJ District- Araria

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Gulam Mustafa S/O Late Sk. Rafid R/O Village- Haripur, Ward No. 4, P.S-
Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Vivekanand Singh, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 323, 337, 353 and 307 of the Indian Penal Code and Section 21(b) of the N.D.P.S. Act.

3. The prosecution story, as per the First Information Report, is that on 03.11.2022, 160 bottles of 100 ml each of Corex cough syrup was recovered and one person namely Feroze was arrested by the police. It is further alleged that total 16 liters of codeine was found in 160 bottles of Corex cough syrup. It is further alleged that co-accused persons attacked the police party, assaulted the police personnel and got freed accused Feroze from the custody of the police, however police



arrested four persons and one of the arrested accused namely Manzar Alam had disclosed that he along with other accused persons was engaged in selling Codeine Cough Syrup.

4. It is submitted by learned counsel appearing on behalf of the petitioner that is innocent and has committed no offence. Petitioner is not named in the F.I.R.. Name of the petitioner transpired during course of investigation. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail 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, Araria in connection with Forbesganj P.S. Case No. 1149 of 2022 corresponding to Special Case No. 38 of 2022, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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