

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8416 of 2015**

Arising Out of PS.Case No. -94 Year- 2014 Thana -CHAURADANO District-  
EASTCHAMPARAN(MOTIHARI)

=====

Sushil Kumar Sah son of Ram Narayan Prasad Sah, resident of Village-  
Tumariya Tola, Raxaul, P.S.-Raxaul, District-East Champaran  
..... Petitioner

Versus

The State of Bihar  
..... Opposite Party

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**Appearance :**  
For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate  
For the Opposite Party/s : Mr. Nand Kishore Prasad (A.P.P.)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

2      15-04-2015                      Heard learned counsel for the petitioner and the State.

The Petitioner seeks bail in a case instituted for the  
offence under Sections 27 (b) (ii) of the Drugs and Cosmetics Act,  
1940.

The petitioner was refused bail by order dated  
23.12.2014 vide Cr. Misc. No. 51078 of 2014 but with liberty to  
renew his prayer of bail after framing of charge. Annexure-4  
reveals that charges have been framed.

Considering the same, let the petitioner above named, be  
released on bail on furnishing bail bond of Rs. 5,000/- (Five  
thousand) with two sureties of the like amount each or any other  
surety to be fixed by the court below to the satisfaction of the  
learned 1<sup>st</sup> Additional Sessions Judge, East Champaran at Motihari  
in connection with Chhauradano (Mahuawa) P.S. Case No. 94 of

2014, subject to the conditions:

- (i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will under take to furnish information to the court about any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar nature after his released in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Kamlesh

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**(Anjana Prakash, J.)**