

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25988 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -JOGBANI District- ARRARIA

Suresh Ram son of late Sagam Lal Ram resident of Khajurbari Harijan Colony Ward No. 05, Police Station - Jogbani, District - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 04-07-2016

Heard learned counsel for the parties.

The petitioner is languishing in custody since 5.4.2016 in a case registered for the offence punishable under sections 20 and 22 of the N.D.P.S.Act.

Prosecution case is that during vehicle check the informant being police officer intercepted a motorcycle on which two persons were traveling and from a carton kept on the said motorcycle 110 sealed bottles of Corex cough syrup of 100 ml each were recovered.

It is submitted by the learned counsel for the petitioner that the seized bottles were of cough syrup which are widely used and there is nothing on record to suggest that the petitioner was selling the same for illegal purposes. Statement has been made in paragraph 3 of the application that the petitioner has no criminal

antecedent. Similarly situated co-accused Hukumdeo Yadav has been granted bail by an order of this Court dated 18.5.2016 passed in Cr.Misc.No. 21828/2016.

Mr. J.N.Thakur, learned counsel for the State, does not controvert the quantity of recovery.

Considering the nature of accusation and the fact that the petitioner has no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge cum Special Judge, Araria in Special Case No. 10/2016 arising out of Jogbani P.S.Case No. 41/2016.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. Non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

Surendra/-

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