

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42845 of 2016

Arising Out of PS.Case No. -386 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Bhudeo Mandal @ Bhudev Mandal Son of Sri Chatu Mandal Resident of
Village- Biharipur, Police Station- Madhusudanpur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-02-2017 Heard the parties.

This application is for grant of bail in connection with
Kotwali P.S.Case No.386 of 2016 for the offence under Sections
27(b)(ii)28/28A of Drug and Cosmetic Act, 1940 and Section
22(b) of the N.D.P.S.Act.

It is submitted on behalf of the petitioner that nothing has
been recovered from the possession of the petitioner rather the
articles were of Murari Pd. Jhunjhunwala and the petitioner is staff
only as well as the F.I.R. itself shows that he had been asked to sit
on the Scooty and one bag containing corex cough syrup has been
recovered from that Scooty and Murari Pd. Jhunjhunwala has
already been granted bail by this Court. The petitioner is in
custody for about six months.



Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides. In view of the fact that from the F.I.R. itself, it appears that one bag containing corex cough syrup has been recovered from the possession of the petitioner and later on at his instance, other four bags were also recovered, as such considering the above facts, I am not inclined to grant bail to the petitioner at this stage, however, the petitioner may renew his prayer for bail after six months, which will be considered by the learned court below itself and pass appropriate order.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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