

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48438 of 2017

Arising Out of PS.Case No. -411 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Madan Choudhary, Son of Late Sakhichand Choudhary, resident of
Village- Mayaganj Mushari, P.S. Barari, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Kotwali (Barari) P.S.Case No.411 of 2017 registered for offences
punishable under Sections 27(b)(ii), 28/28(A)/36Ac of Drug and
Cosmetic Act and Section 22(a) of N.D.P.S. Act.

Allegation against the petitioner is of recovery of
Exiplan syrup and Pentalab injection without having any proper
licence, for that submission of the learned counsel for the
petitioner is that as a matter of fact along with these articles, some
foreign liquor has also been recovered and for that purpose
another case has been lodged under the Excise Act. It has also
been submitted that the petitioner has been falsely implicated in
this case at the instance of the others as his son was killed and he
has also filed FIR against some other persons of his *mohalla*.



Further submission is that the petitioner is in custody for about four months.

Submission of the learned counsel for the petitioner

Heard learned A.P.P. also.

Having heard both sides and in view of facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur in connection with Kotwali (Barari) P.S.Case no.411 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidences.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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