

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38298 of 2016

Arising Out of PS.Case No. -368 Year- 2016 Thana -ARARIA District- ARRARIA

=====

Noor Alam @ Chunna @ Noor son of Late Md. Badrul Hoda, resident of
Village-Sisouna, P.S.-Araria, District- Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur with
Mr. Nilesh Kumar, Advocates
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Araria P.S.Case No. 368 of 2016 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code and
Sections 21, 22 & 25 of the NDPS Act.

It has been submitted on behalf of the petitioner that
allegation against the petitioner is that 4760 bottles of cough syrup
have been recovered from the petitioner's shop. It has further been
submitted that the shop is in the name of mother-in-law of the
petitioner and the petitioner is running the said medical shop and,
as such, there is nothing illegal in selling cough syrup in the shop
and the petitioner has remain in custody for about six months.

Heard learned APP and learned counsel for the
informant also.

Heard both sides. Considering the fact that only cough
syrup has been recovered from the shop and report of the Drug



Controller is also available and he has remained in custody for six months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge-cum-Special Judge, NDPS Act, Araria, in connection with Special Case No. 23 of 2016, arising out of Araria P.S.Case No.368 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

