

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12479 of 2018

Arising Out of PS. Case No.-502 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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Gopal Kumar Jha, son of Sachida Nand Jha, Resident of Village- Pipra, P.S.-
Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary
For the Opposite Party/s : Mr. RAJBALLABH SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 272, 273, 420, 327, 162 and 34 of the Indian Penal Code, Sections 27(d), 28, 28(a), 22(b) of the N.D.P.S.. Act, Section 8 and 9 of the Prevention of Corruption Act, 1988 and Sections 30, 36, 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that on 30.12.2017, the informant in course of checking of vehicles, caught a vehicle and recovered altogether 315 liters cough syrup along with other articles.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 30.12.2017 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 315 liters cough syrup is recovered. The same does not come under the purview of intoxicant. The petitioner is said to be driver of the said vehicle. Other co-accused has been granted bail vide order dated 20.02.2018 passed in Cr. Misc. No. 9478 of 2018. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Darbhanga in connection with Sadar P.S. Case No. 502/2017 (G.O. Case No. 1/2018).

(Sudhir Singh, J)

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