

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 50418 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- Jogbani (Bathanaha) District- Araria

Rocky Kumar S/o Dilip Yadav @ Dilip Kumar Yadav, R/o Vill.- Farhi
Koshkipur, Ward No. 02, P.O. Farhi, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-08-2018 Heard Sri Babu Nandan Prasad, learned counsel for
the petitioner and Sri Binod Kumar, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since
24-06-2018 in Jogbani (Bathanaha) P.S. Case No. 177 of 2018
registered for offence under Sections 21, 22, 23 of the Narcotic
Drugs & Psychotropic Substances Act, 1985 (for short
“N.D.P.S. Act”), has prayed for grant of bail.

It has been argued by learned counsel for the
petitioner that petitioner is having clean antecedent, which fact
has been stated in paragraph – 3 of the petition. It has also been
argued that in this case, petitioner has been made accused on an
accusation of recovery of about 205 bottles of cough syrup
containing 100 ml. each. It has been argued that cough syrup is



not a narcotic substance, even then, the petitioner has been made accused under the provision of N.D.P.S. Act.

Learned Addl. Public Prosecutor has disputed the submission of learned counsel for the petitioner.

However fact remains that petitioner is in custody on an allegation of recovery of cough syrup only.

In view of facts and circumstances, let the petitioner namely Rocky Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Jogbani (Bathanaha) P.S. Case No. 177 of 2018.

(Rakesh Kumar, J.)

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