

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4405 of 2019

Arising Out of PS. Case No.-234 Year-2018 Thana- BOCHAHAN District- Araria

Md. Aslam S/o Zafar Ahmad @ Zafar Resident of Mohalla-Kali Bazar,
Chamra Godown, Ward No.13, Police Station-Araria Town, District Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Thakur, Adv. Mr. Imtiyaz Ahamad, Adv. Mr. Malay Kumar Choudhary, Adv.
For the Opposite Party/s :	Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bochaha P.S. Case No. 234 of 2018** registered for the offence punishable under Sections 18-A, 27 (b) (ii) and 28 of the Drugs and Cosmetics Act, under Section 7 of the Essential Commodities Act and under Section 22 (b) of the Narcotic Drugs and Psychotropic Substance Act.

Allegation against petitioner is of illegal sale and purchase of Narcotic Drugs and also recovery of 1700 bottles of Eskuf Cough Syrup having codeine phosphate as its component which belongs to the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the place where the petitioner



was allegedly found standing and in fact the police in collusion with Drugs Inspectors implicated the petitioner. He is in custody since 18.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sessions Judge-cum-Special Judge, Muzaffarpur**, in connection with **Bochaha P.S. Case No. 234 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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