

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10551 of 2019

Arising Out of PS. Case No.-345 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

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BIRENDRA KUMAR, aged about 30 years, Male, Son of- Ram Khelawan
Resident of village-Nakdaiyapur, P.S.-Jais, District - Amethi (UP)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Kuchaikote P.S. Case No. 345 of 2018
registered for the offences punishable under Sections 27(b)(ii),
28 and 27 (d) read with Section 36 A/C of Drugs &
Cosmetics Act.

Allegation is recovery of 2292 bottles of
Phensedyle Cough Linctus of 100 ml. from a truck which
was driven by the petitioner.

It has been submitted on behalf of the petitioner



that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner had no knowledge with regard to alleged Phansedly cough linctus, petitioner is driver of the said truck. Petitioner has no criminal antecedent and is in custody since 19.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-VII, Gopalganj, in connection with Kuchaikote P.S. Case No. 345 of 2018, subject to 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 and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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.

(S. Kumar, J)

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