

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22531 of 2019

Arising Out of PS. Case No.-182 Year-2017 Thana- JOGBANI District- Araria

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Shambhu Pandey @ Vijay Pandey @ Bhaskar @ Mama @ Vijay Kumar, Son of Hare Krshna Pandey, Resident of Village - Daharia, P.S.- Chhatapur, Distt.- Supaul, at Present resident of Village - Chhatapur, Near of high School, P.S.- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-05-2019 This is an application for grant of anticipatory bail in connection with Special (N.D.P.S.) Case No.30 of 2017 arising out of Jogbani P.S. Case No.182 of 2017 disclosing offences under Sections 21(C), 22 of N.D.P.S. Act, 27 (b) (II), 28 and Section 36 of Drugs & Cosmetic Act, 1940.

Prosecution story is that A.S.I. of S.B.S.-56 has got a secret information of carrying huge quantity of intoxicant medicines for the purpose of smuggling and on that information, the informant and other reached at Mirganj Puliya N.H.57 where a white colour Scorpio was coming, from which 692 bottles each of 100 ml Dialex-DC codeine compound cough syrup, Spasmo Proxyvon Plus-120 box each box containing 144 tablets, Lupigesic Injection 2390 pieces were recovered and



driver was arrested later on. During the course of investigation it transpires from CDR that petitioner has made contact with the driver and as such, he has been made accused.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case only because he made the contact with the driver of Scorpio and except that there is no other allegation against him. Further submission is that petitioner has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Araria, in connection with Special (N.D.P.S.) Case No.30 of 2017 arising out of Jogbani P.S. Case No.182 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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