

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33408 of 2019**

Arising Out of PS. Case No.-50 Year-2019 Thana- SONBERSA District- Sitamarhi

Ram Biswas Rai Son of Baidyanath Rai @ Baijnath Rai @ baijnath Rai
Yadav Resident of Village - Malangwa, P.S.- Malangwa, Dsit.- Sarlahi
(Nepal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 21-05-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 336 and 418 of the Indian
Penal Code and section 18(A), 18(B), rule 27 (b) (ii), 28, 28A,
36A of the Drug and Cosmetics Act and Section 8 and 22(b) of
the NDPS Act.

Ten bottles Codine syrup are said to have been
recovered from conscious possession of the petitioner and after
that Drug Inspector lodged the present case under aforesaid
sections.

Submission on behalf of the petitioner is that
petitioner is in jail custody since 15.02.2019 and even if, the



prosecution story assumed to be true, then also, there is nothing to show as to how much percent of Codine in the recovered syrup.

Considering the aforesaid facts and circumstances as well as submissions of the parties and taking note of this fact that petitioner does not have any criminal antecedent, let 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 1st Additional Sessions Judge cum Special Judge NDPS Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 50 of 2019.

(Hemant Kumar Srivastava, J)

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