

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42194 of 2019

Arising Out of PS. Case No.-115 Year-2019 Thana- JOGBANI District- Araria

Md. Bhola Sah @ Bhola @ Md. Shahjad Son of Kalim Ansari @ Md. Kalim
Resident of Village - Indranagar, Tikuliya Basti, P.S.- Jogbani, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Section
414/34 of the Indian Penal Code r/w 27(b)(ii), 28, R/W 36
Drugs and Cosmetic Act.

Allegedly, Dizelab injection 108 pieces and 180 pieces of
Nitrocefen medicine were recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 14-04-2019. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case. The petitioner is not named in the
FIR. His name transpired in this case on the basis of



confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The other co-accused with similar allegation have been granted bail by a coordinate bench of this court vide order dated 26-06-2019 passed in Cr. Misc. No. 37891 of 2019.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate-I, Araria in connection with Jogbani P.S. Case No. 115 of 2019.

(Sudhir Singh, J)

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