

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41222 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- PIPRAKOTHI District- East Champaran

1. Sri Nath Sah Son of Late Ramswarup Sah Resident of Bhitgharwa, P.S.- Patahi, District- East Champaran.
2. Saidul Mian Son of Yakub Mian Resident of Village- Tarija Chhapat Chatra, P.S.- Shitalgarcha (Khocha), District- Kuch Bihar (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners seek bail in Pipra Kothi P.S. Case No.
85 of 2019, registered for the offences punishable under Section
22(B) of the NDPS Act and section 27 (B)(ii) of the Drugs and
Cosmetics Act.

It is alleged that during the course of vehicle
checking, one WagonR car bearing registration no. WB70D-
2504 was stopped and on search huge quantity of cough syrup
was recovered from the said vehicle and two persons
(petitioners) were apprehended who failed to produce any paper
with respect to the medicines.



It is submitted on behalf of the petitioners that even if the entire prosecution case is accepted, no case under NDPS Act is made out. From the first information report itself, it is apparent that cough syrup have been recovered from the vehicle in question. Petitioners have no concern with the seized cough syrup. Petitioners are in custody since 02.04.2019 having no criminal antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with Pipra Kothi P.S. Case No. 85 of 2019 (NDPS Case No. 33 of 2019).

(Prabhat Kumar Singh, J)

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