

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70682 of 2018

Arising Out of PS. Case No.-228 Year-2018 Thana- JOGBANI District- Araria

Surendra Roy, S/o Late Narayan Roy, resident of Village- Indranagar, Ward No. 10, P.S. Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2019 Heard the learned counsel for the petitioner and the learned counsel for the State.

The petitioner seeks regular bail in connection with Jogbani P.S. Case No. 228 of 2018 registered for the offence punishable under Sections 21 and 22 of the N.D.P.S. Act and 27 (b), 28 read with Section 36 of the Drugs and Cosmetic Act.

The informant is Assistant Commandant of S.S.B. who has alleged that he along with the police personnel searched the house of one Md. Sukla Ansari, and from the possession of persons present there, namely, Johra Khatoon, wife of Sukla Ansari, Chandan Kumar Sah, Md. Chhotu Ansari, Surendra Roy and Kancha Choudhary 61 pcs. of 2 ml. each Lupigecis injections, 65 pcs. of 2 ml. Each Avil injections, 59 pcs. of 2 ml. Each Diazelab injections, 06 pcs. of 2 ml.



Phenergan injections, 16 pcs. of 100 ml. Each Dialex-D.C. cough syrup, 430 tablets of Nitrazepam, 45 tablets of Sposmo Proxyvon Plus, 72 pcs. of 10 ml. Life Line Syringe, 166 pcs. of 5 ml. of Life Line Syringe, Nepali Currency of 73,855/- and two Nokia Mobile Phones were recovered.

Learned counsel for the petitioner submits that the petitioner is not concerned with the day to day business of the firm and has got nothing to do with the alleged recovered medicines. It is further submitted that the main accused is Md. Sukla Ansari who is responsible for the alleged recovery. Reliance has been placed on the orders of this court dated 10.12.2018 passed in Cr. Misc. No. 70794 of 2018 as well as on an order dated 17.12.2018 passed in Cr. Misc. No. 75101 of 2018, whereby, similarly situated co-accused persons have already been granted bail. Lastly, it is submitted that petitioner is having a clean antecedent as well as he is languishing in custody since 21.08.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/-



(rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria, in connection with Jogbani P.S. Case No. 228 of 2018.

(Mohit Kumar Shah, J)

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