

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70595 of 2019

Arising Out of PS. Case No.-410 Year-2019 Thana- RAJIVNAGAR District- Patna

Umashankar Rai Son of Late Daroga Rai, resident of Village- Chhitarchak,
P.S.- Digha, District- Patna, at present residing at Mohalla- Rajeev Nagar,
Road No. 23A, P.S.- Rajeev Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 420/120B of the Indian Penal
Code and Section 27 (b) (ii), 28, 28 A & 27 of the Drugs and
Cosmetic Act, 1940 and amended Act 2008.

74 vials of oxytocin is said to have been recovered from
the Gumti of the petitioner.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. The aforesaid Gumti is not
hailing to the petitioner rather to the sons of the petitioner and
petitioner had no knowledge of keeping the said drugs in the



said Gumti. He has been falsely implicated in this case at the instance of his enemy. The chargesheet in the case has already been submitted in the case. There is no scope of tampering with the evidence at the hands of the petitioner. Petitioner is an old person aged about 65 years. He has no criminal antecedent and has been languishing in custody since 17.08.2019.

Learned APP for the State opposed the bail petition.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Patna in connection with Rajivnagar P.S. Case No.410 of 2019.

(Prakash Chandra Jaiswal, J)

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