

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83797 of 2019**

Arising Out of PS. Case No.-225 Year-2019 Thana- CHAUTHAM District- Khagaria

MD. MUKHTAR ALAM @ MD. MUKHTAR Son of Md. Kurban Ali @ Md Kurwan Alam Resident of Village - Karuwamore, Ward No. 16, P.S.- Choutham, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chandan Kumar Kashyap

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      17-12-2019                      Heard learned Counsel for the petitioners and the learned APP for the State.

The petitioner seeks bail in Chautham PS Case No. 225 of 2019 registered under Sections 274, 275, 276, 419, 420, 467, 468 of the IPC and Sections 27(b)(ii), 27(d), 28(A) and 28 of the Drugs and Cosmetics Amendment Act.

Since 25.9.2019 the petitioner is in custody.

It is submitted that seizure list clearly shows that the medicines were stored by the petitioner. There is no allegation that the same were spurious or in any manner harmful. It is further submitted that the petitioner was earlier accused in Chautham PS Case No. 204 of 2018 for the offences under the Prohibition and Excise Act in which case he is already on bail.



There is complete violation of the procedures prescribed for such search and seizure.

Considering the aforesaid submissions the prayer for bail is allowed.

Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri S.M.Tripathi, Judicial Magistrate, 1st Class, Khagaria in Chautham PS Xcase No. 225 of 2019 on the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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