

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72552 of 2019

Arising Out of PS. Case No.-583 Year-2019 Thana- PATRAKARNAGAR District- Patna

SURESH @ SURESH PRASAD S/o Late Babu Lal Prasad R/o Mohalla-
Machhua Toli, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 419 and 420 of the Indian Penal Code and Section 21/23 of NDPS Act and Section 27(B)(ii), 27(a) and 28(a) of the Drugs and Cosmetic Act as well as Section 30(a) of Bihar Prohibition of Excise Act.

The accusation is that on search, the petitioner was found in possession of several bottles of cough syrup but, on demand, he did not produce the paper regarding the same.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in this case on mere suspicion. Petitioner is the driver of the vehicle and is an employee of the Ganpati Transport Corporation and



has nothing to do with the alleged cough syrup. Further submission is that, on investigation, chargesheet has already been submitted against the petitioner by the police. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 02.12.2019 in Criminal Miscellaneous No. 74866 of 2019 and 18.12.2019 in Criminal Miscellaneous No. 81264 of 2019. Petitioner has got no criminal antecedent and is in custody since 30.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Patrakar Nagar P.S. Case No. 583 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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