

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85943 of 2019

Arising Out of PS. Case No.-259 Year-2019 Thana- JOGBANI District- Araria

RAJA KUMAR Son of Umesh Prasad Sah Resident of Village - Indranagar,
Tikuliya, Ward No. 09, P.S. - Jogbani, Dist.- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-03-2020 Heard learned counsel for the parties.

Petitioner is accused in a case registered for the offences punishable under Sections 30(a), 38(i) of Bihar Prohibition and Excise Act 2016 and section 27 (b) (ii)/28 R.W and 36 Drugs & Cosmetic Act.

Prosecution's case, in brief, is that 307 bottles each of 100 M.L. total 37 litres of Dailex DC cough syrup kept in two black bags, from a shoulder bag recovered Spasmoproxivan plus tablets 227 strips total 5448 tablets, 36 strips total 660 tablets of Naitrajepam, 35 strips of 10 tablets total 1050 tablets of Naitravet tablet, 1100 pieces of 2 M.L. Phenargan Injection, 210 pieces of 2 M.L. Daijepam Injection 190 pieces of 2 M.L. Lupigesic Injection and 300 pieces of 2 M.L. Avil Injection are recovered from the house of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case as said



recovery is from the hut situated in the east of the house of the petitioner which is not dwelling house of the petitioner. Petitioner has got no criminal antecedent and he is in custody since 07.09.2019.

Considering the facts of the case, let the petitioner, above named, be released 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 2nd Additional Sessions Judge cum Special Judge, Araria in connection with Jogbani Police Station Case No. 259 of 2019 on the following conditions:-

(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence, or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

SONALI/-

U		T	
---	--	---	--

