

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20007 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- BAUSI District- Purnia

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RAJEEV SEN GUPTA @ RAJIV SEN GUPTA S/O MOLOY SEN GUPTA
R/O VILLAGE-UTTAR CHABIS PARGANA, P.S.-BELJHURIYA,
DISTRICT-CHABIS PARGANA, 24/05A, MANDAL LANE, KOLKATA
(W.B.)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 & 273 of the Indian
Penal Code, Section 21 (c) of the N.D.P.S. Act and Section 30
(a) of the Bihar Prohibition and Excise Act, 2016.

1438.800 liters of codeine syrup is said to have
been recovered from a pick up van and the petitioner, being the
driver of the said van, was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no
concern either with the seized liquor or the place of recovery or



any trade of liquor or the pick up van in question. Petitioner was merely plying the pick up van at the instruction of its owner without knowing the contents loaded therein. Petitioner has no criminal antecedent and has been languishing in custody since 22.10.2020.

Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Baisi P.S. Case No. 261 of 2020, subject to the following conditions:

(1) 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. He will also undertake to inform the Court if there is any change in the address of the petitioner.



(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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