

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22006 of 2021

Arising Out of PS. Case No.-450 Year-2020 Thana- RAXAUL District- East Champaran

1. Deepak Kumar Son Of Jagdish Sah R/O - Naga Road, Ward No.11, Raxaul, P.S.- Raxaul, District- East Champaran.
2. Ravi Kumar Son Of Rajesh Prasad R/O - Naga Road, Ward No.11, Raxaul, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Nagendra Pd. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioners seek bail in Raxaul (Haraiya OP) P.S. Case No. 450 of 2020 corresponding to NDPS Case No. 72 of 2020, registered for the offence punishable under Sections 18(a), 18(a)(1), 18(c) of the Drugs and Cosmetics Act, and section 22(b) of the Narcotic Drugs and Psychotropic Substances Act.

As per the prosecution case, some intoxicant medicines has been recovered from Gumti of the petitioners and



it is alleged that they were selling the same.

It is submitted on behalf of the petitioners that as per the FIR (1.) Onerex 13 nos. (2.) Wincirex 30 nos. (3.) Nitrovet 10 tab 14 stripes and (4.) Spas roxy plus (cap) 13 stripes has been recovered from the *Gumti* where petitioners were selling the said medicines. Nothing has been recovered from conscious possession of the petitioners. Recovery has been made from *Gumti* which does not belong to petitioners. Petitioners have got clean antecedent and they are in custody since 18.12.2020. Investigation is complete.

Considering the period of custody and the fact that petitioners bear clean antecedent, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Motihari East Champaran in connection with Raxaul (Haraiya OP) P.S. Case No. 450 of 2020 corresponding to NDPS Case No. 72 of 2020, subject to following conditions:-

(i) The petitioners 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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