

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26602 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

PRAVESH DAS S/O SHANKAR DAS R/o village- Bhikhanpur Gumti No. 2,
P.S.- Ishakchak, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273, 420, 188 and 34 of the Indian Penal Code and sections 27(b)(ii), 28, 28(A), 36AC and 30A of the Drugs and Cosmetics Act, 1940.

As per the prosecution case, 1794 bottles of cough syrup with codeine was recovered from the possession of accused Chhotu Kumar @ Chhotu Das.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the alleged recovery is from the possession of co-accused Chhotu Kumar and the name of the petitioner transpired in his statement made before police. No incriminating article has been recovered from the petitioner's possession who is in custody since 25.8.2020 and has been falsely implicated in the case because of his antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and



taking into consideration the facts of the case together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with N.D.P.S. Case no. 20 of 2020 (arising out of Ishakchak P.S. Case No. 85 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st, Bhagalpur.

(Partha Sarthy, J)

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