

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49864 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

Manjesh Amit Son of Sri Dharmendra Kumar Srivastava Resident of
Mohalla- Shahganj, Benta, P.O. - D.M.C. , P.S. - LaheriaSarai, District -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Laheriasarai P.S. Case No.
145 of 2021 corresponding to NDPS Case No. 13 of 2021,
registered for the offence punishable under Section 420/34 of
the Indian Penal Code, sections 27(b)(ii), 28, 28(A), 27(d) and
36AC of Drugs and Cosmetic Act and section 22 of NDPS Act.

Earlier the bail application of petitioner was dismissed
as withdrawn vide order dated 12.07.2021.

As per the prosecution case, huge quantity of
intoxicant drugs were seized from the shop and house of this
petitioner. Further alleged that this petitioner is also involved in
selling and stocking of intoxicating drugs.



It is submitted on behalf of petitioner that entire allegations revealed by the prosecution are false and concocted. The wife of petitioner is owner of shop and she has got valid and proper license and is entitled to stock, sell and exhibit for sale by wholesale, all the drugs other than those specified in schedule C, C(1) and X vide license no. DL NO. DAR-M-63 of 2016 valid from 28.03.2016 to 27.03.2021. Further submitted that the medicines seized by the police had been purchased by the petitioner from different shops on different dates on proper bills. The petitioner has got all the relevant papers of all 85 medicines which has been seized by the drug Inspector and in support of the same he has also relied upon annexure-3 to this petition. Petitioner has got clean antecedent and is in custody since 19.03.2021. Chargesheet has already been submitted.

However, counsel for the State vehemently opposed the prayer for bail and submitted that huge quantity of illegal drugs has been recovered from house and shop of the petitioner.

Considering the submissions of parties, materials available on record, nature of accusation and period of custody, the petitioner above-named, is directed to be enlarged 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



Additional District & Sessions Judge VII-cum-Special Judge
NDPS, Darbhanga in connection with Laheriasarai P.S. Case
No. 145 of 2021 corresponding to NDPS Case No. 13 of 2021.

(Prabhat Kumar Singh, J)

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