

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36013 of 2020

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

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Akhilesh Das @ Akhilesh Kumar Das, aged about 30 years, male, 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

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Appearance :

For the Petitioner/s : Mr. Vikdram Deo Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 05-04-2021 Heard Mr. Vikram Deo Singh, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Ishakchak P.S. Case No. 85 of 2020, dated 18.07.2020, instituted for the offences under Sections 188, 272, 273 and 420/34 of the Indian Penal Code, 27(b)(ii), 28, 28A, 36AC and 30A of the Drugs and



Cosmetic Act, 1945 (Amendment 2008) and Section 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

From the possession of Chotu Kumar and Chotu Das, two of the accused persons of this case, huge quantity of cough syrup is said to have been recovered.

Though the petitioner has been named in the F.I.R., but there is nothing in the body of the F.I.R. to indicate that he also had participated in the sale or acquisition of such cough syrup bottles. The accusation against the petitioner, therefore, only appears to be based on some statement made by aforesaid two accused persons, viz., Chotu Kumar and Chotu Das.

The petitioner does not have criminal antecedents.

Considering the nature of accusation against the petitioner and taking into account the fact that he has not been made accused in any case thus far, he, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 4th Addl. Sessions Judge, Bhagalpur in connection with Ishakchak P.S. Case No. 85 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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