

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28290 of 2022**

Arising Out of PS. Case No.-31 Year-2022 Thana- BALIYA District- Begusarai

MD. SHAMSHAD @ MD. SAMSAD Son of Md. Jalal @ Md. Jalaluddin
Resident of village - Kasba, P.S.- Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 15-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8, 21, 22 and 25 of the N.D.P.S. Act and sections 18(c) and 27(b)(ii) of The Drugs and Cosmetics Act.

As per the prosecution case, 50 bottles of Relaxo cough syrup were recovered from the rented house of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The quantity of Relaxo cough syrup per bottle was not mentioned in the seizure list. The said Relaxo cough syrup is an *Ayurvedic* product and the detail of its chemical ingredients is not explained. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 16.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Baliya P.S. Case No. 31 of 2022, with a condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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