

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39873 of 2021

Arising Out of PS. Case No.-54 Year-2021 Thana- JOGBANI District- Araria

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RANJIT SAH @ RANJIT KUMAR SAH @ SUNIL KUMAR SAH Son of
Anil Sah @ Anil Kumar Sah Resident of Netaji Chowk Jogbani, Police
Station - Jogbani, District - Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 10-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Jobgani P.S. Case No. 54 of 2021, for the offence punishable
under Section 414 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016 and Section 27(ii)(b)
28 read with Section 36 of the Drugs and Cosmetics Act.

The prosecution case, in brief, is that certain
medicines were recovered from one Auto bearing registration
No. BR-38T-5232 of different description, which has been
alleged to be intoxicating in nature. At the time of seizure, the
owner of the auto and other co-accused were apprehended, who



were not able to produce any valid license prescription or details of the shop as well as the bills relating to the said seized medicines.

Learned counsel appearing on behalf of the petitioner submits that the name of the petitioner has surfaced in the present case on the basis of confessional statement of co-accused Akash Sah, who had stated that they were going to deliver the said medicine to the shop of the present petitioner. He further submits that he has received instruction that during the period of pandemic, the petitioner has started business of grocery shop from his resident and due to enmity, he has been roped in the present case. The petitioner is in custody since 10.04.2021 and in all cases pending against him, including Jogbani P.S. Case No. 266 of 2019, registered for the offences punishable under Section 27(b) of the Drug and Cosmetics Act, he is on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, without going into the merits of the case, in absence of any recovery of seized drugs from the possession of the petitioner, the petitioner, above named, is



directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Araria in connection with Jogbani P.S. Case No. 54 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers 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 petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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