

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48684 of 2021

Arising Out of PS. Case No.-143 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

Prabhat Kumar Singh S/O Sri Triveni Prasad Singh @ Treveni Prasad Singh
R/O Mohalla-Ayachinagar, Benta, P.S-Laheriasarai, (O.P-Benta), District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.13, Adv.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-05-2022 Heard Mr. Manish Kumar No.13, learned Advocate

for the petitioner and Dr. Mrityunjaya Kr. Gautam, learned

Additional Public Prosecutor representing the State.

The petitioner seeks bail in connection with
Laheriasarai P.S. Case No. 143 of 2021 dated 18.03.2021
corresponding to G.O. (N.D.P.S.) No. 14 of 2021 instituted for
the offences under Section 420 of the Indian Penal Code,
Sections 27(b) (ii), 28, 28A, 27(d), 36A of the Drugs and
Cosmetic Act, 1940 and Section 22(b) of the Narcotics Drugs
and Psychotropic Substances Act.

The accusation against the petitioner is of keeping
prohibited and fake medicines in his house. At the time of raid,
approximately Rs. 8 lakhs was also recovered in cash from the



house of the petitioner.

The learned counsel for the petitioner has submitted that the accusation is absolutely false. He has further argued that even the prosecution under the Drugs and Cosmetics Act by the local police was not justified in view of the provisions contained in the Act. He has further submitted that the petitioner is in custody since 19.03.2021 and there does not appear to be any reason for the police to go for any custodial interrogation or that he would now be in any position to tamper with the evidence or influence the witnesses.

Considering the accusation and the period of custody, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (NDPS) cum Additional Sessions Judge-VII, Darbhanga in connection with Laheriasarai P.S. Case No. 143 of 2021 .

(Ashutosh Kumar, J)

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