

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45738 of 2022

Arising Out of PS. Case No.-45 Year-2022 Thana- HABIBPUR District- Bhagalpur

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KUNDAN KUMAR Son of Late Lakhan Das R/v- Aliganj Gangti Road, P.S-
Mojahidpur, Dist- Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 14-12-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as
Mr. Mritunjay Kumar Nirala, the learned APP for the State.

At the very outset, the learned counsel for the petitioner
has submitted that in paragraph no. 1 of the bail petition, in place of
“Section 276 Indian Penal Code” it has been typed mistakenly as
“Section 376 Indian Penal Code”.

Let it be corrected today itself.

In this case, the petitioner is seeking regular bail in
connection with Habibpur P.S. Case No. 45 of 2022, registered for
the offences punishable under Section 276 of Indian Penal Code,
under Sections 18, 27 Drugs and Cosmetics Act and under Sections
21 and 22 N.D.P.S. Act.

The learned counsel for the petitioner has submitted
that only four bottles of cough syrups of 100 ml each were recovered



from the possession of the petitioner and he is under custody since 29.03.2022. He is a person of clean antecedent.

Considering the facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned District Judge, Bhagalpur in connection with Habibpur P.S. Case No. 45 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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