

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69269 of 2021**

Arising Out of PS. Case No.-441 Year-2021 Thana- BARACHATTI District- Gaya

VINOD KUMAR Son of Gajraj Singh Resident of Village- Nesupur Sajaiti,
P.S.- Mandai, District- Firozabad (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

6 22-11-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 8 and 21 (b) of the Narcotic Drugs and Psychotropic Substance Act, 1985.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 3000 liters of Phensedyl (new) Cough Linctus syrup is said to have been recovered from a truck. Petitioner is the owner of the truck. Petitioner has no concern either with the seized syrup or the place of recovery. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



Petitioner has been falsely implicated in this case at the instance of his enemy. There is violation of Section 100 Cr.P.C. As a matter of fact, the petitioner had given his truck to his driver to ply the same on rent and the driver was plying the truck without knowing the contents ladden therein by the transporter. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.25,000.00 (Rupees Twenty Five Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Barachatti P.S. Case No. 441 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that



(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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