

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70223 of 2021

Arising Out of PS. Case No.-757 Year-2021 Thana- MADHEPURA District- Madhepura

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UMESH MANDAL Son of Late Triveni Mandal R/o village - Bhan, Ward
No.- 06, P.S.- Madhepura, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with
Madhepura P.S.Case No.757 of 2021 corresponding to
N.D.P.S.Case No.23 of 2021, registered for the offence under
Sections 8(C),21(C),22(C) , and 23(B) of NDPS Act and Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Recovery is of 165 bottles of codeine mixed syrup
each 100 ml.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR as well as seizure list that altogether 165 bottles of codeine mixed syrup each 100 ml contained was recovered from the house of the petitioner. He further submits that it appears from the seizure list that the signature of the petitioner has not been taken in the seizure list. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.09.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Madhepura in connection with Madhepura P.S.Case No.757 of 2021 corresponding to N.D.P.S.Case No.23 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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