

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71455 of 2021**

Arising Out of PS. Case No.-121 Year-2021 Thana- BALIYA District- Begusarai

SANJEEV KUMAR SINHA, Son of Gurudeo Sinha @ Krishna Mohan Sinha
Resident of Village - Balia (Ballia), P.S.- Balia (Ballia), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate.

For the Opposite Party/s : Mrs. Asha Devi, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 20-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 11(a) of 2021, arising out of Balia (Ballia)
P.S. Case No. 121 of 2021 for the offence punishable under
Sections 8, 21, 22 and 25 of the N.D.P.S. Act.

As per the prosecution case, 1918 bottles of Corex
Syrup R.T.X Care Batch No. CL-0249/21 each containing 100
ML and 960 bottles of Corex Syrup Codex TUSS Batch No.
TBHC 20131 each containing 100 ML were recovered from the
shop of the petitioner.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Petitioner is owner of the medical shop and is running the shop on a valid license. Due to inadvertence, he has brought on record license bearing License No. BGS 73/95 which is valid from 21.08.1995 to 31.12.1996. He submits that petitioner may be released on bail subject to verification of license for the current period during which the seizure was affected. Petitioner is in custody since 29.10.2021. Investigation of the case is already complete. Similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 23.11.2021 passed in Cr. Misc. No. 48242 of 2021.

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, period of custody of the petitioner and similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Begusarai in connection with N.D.P.S. Case No. 11(a) of 2021, arising out of Balia (Ballia) P.S. Case No.



121 of 2021, **subject to furnishing of license for the current period during which the seizure was affected and** further 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.

(5) **The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.**

(Purnendu Singh, J)

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