

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72280 of 2021

Arising Out of PS. Case No.-219 Year-2021 Thana- SONBERSA District- Sitamarhi

Awanish Kumar S/O Late Uchitlal Rai R/O Village- Basantpur, P.S.-
Sonbarsa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 12-09-2022 Learned counsel for the petitioner has filed the
supplementary affidavit today in the Court.

Let it be kept on record.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 8(C), 20(b)
(ii),(c), 21(C), 27(A), 29 of the NDPS Act and Section 25(1-b)a,
26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from conscious
possession of the petitioner rather 94.400 liters of cough syrup
has been recovered from Raju Medial Store. He submits that
there is no specific allegation against the petitioner. He submits



that petitioner has got license of chemist and druggist and as such, the petitioner is authorized to keep/store to sale the cough syrup which is used for treatment as a medicine. He also submits that petitioner has got the receipt of recovered cough syrup which was purchased from the whole-seller. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 court below where the case is pending/successor court in connection with Sonbarsa P.S. Case No. 219 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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