

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14919 of 2023

Arising Out of PS. Case No.-39 Year-2021 Thana- RAXAUL District- East Champaran

MAHESH PRASAD Son of Raghuvir Prasad Resident of Ashram Road,
Raxaul, P.S.- Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

This case has been listed on mentioning slip, on the
ground that mother of the petitioner has died on 05.04.2023.

In this case, the petitioner is seeking regular bail in
connection with Raxaul P.S. Case No. 39 of 2021, registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code, Section 27(b)(II) of the Drugs and Cosmetic Act, 1940,
Section 21(a), 22(a) of the N.D.P.S. Act and Sections 30(a), 41 (1) of
the Bihar Prohibition and Excise Act.

The learned counsel for the petitioner has submitted that
900 ml of cough syrup and some sedative tablets were recovered
from the thatched house of the petitioner.

The learned counsel has submitted that the provisions of
N.D.P.S. Act, in which the case has been registered, are punishable



with 6 months of imprisonment. The petitioner is under custody since 09.01.2023.

Considering the clean antecedents as well as the period of detention, 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 Sessions Judge/Special Judge, East Champaran, Motihari in connection with Raxaul P.S. Case No. 39 of 2021, 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) At the time of furnishing bail bonds the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, 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.

(Nawneet Kumar Pandey, J)

Sudha/Mahesh

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