

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34091 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- GAMAHARIYA District- Madhepura

BAIJNATH YADAV @ BAIJU YADAV Son of Late Rameshwar Yadav
Resident of Village - Fulkaha, Ward No.- 3, P.S.- Gamhariya, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Kumar, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gamhariya P.S. Case No. 55 of 2023, lodged on 20.03.2023
under Sections 8(C), 21(C), 22(C), 24, 25 of the Narcotic Drugs
and Psychotropic Substances Act, 1985 and Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 73 pieces of
Corex Syrup's bottles of 100 ml each have been recovered from
the under construction house of the petitioner.

4. Learned counsel for the petitioner submits that the
said recovery has not been made from the conscious possession
of the petitioner. He further submits that the total quantity of the



said syrup is 7.300 litres in weight and it shall be less than 1000 grams. According to him the said quantity is in between small and commercial quantity. He further submits that the antecedent of the petitioner is clean and he is in custody since 21.03.2023

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Madhepura in connection with Gamhariya P.S. Case No. 55 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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