

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56588 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Deepak Yadav Son Of Gopal Yadav Resident Of Mohalla- Parbatti, Police
Station- University, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nathnagar P.S. Case No. 351 of 2023 lodged on 06.05.2023
under Sections 21(B), 22(B) of the Narcotic Drugs and
Psychotropic Substances Act (NDPS Act).

3. As per prosecution case, recovery of two bottles of
100 ml of codeine rich cough syrup and 17 tablets of Nitcor 10
have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that he has a medicine shop for which he has a valid license.
Counsel submits that the quantity of codeine syrup is less than
the small quantity as only two bottle of 100 ml syrup is there.



Counsel also submits that it has not been disclosed by the Drug Inspector that what wrong has been done by him, particularly when the petitioner have medical shop.

5. Learned counsel for the State opposes the prayer for bail.

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 Additional Sessions Judge-I, Bhagalpur, in connection with Nathnagar P.S. Case No.351 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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