

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21311 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Raj Kamal Sah son of Ganesh Sah Resident of Village - Tarauni PS-
Dhamdaha, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Naugachia P.S. Case No.12 of 2024, lodged under Sections
21(c) & 22(c) of the N.D.P.S. Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two named accused persons including the
petitioner against whom there is recovery of 79 bottles
containing 100 ml codeine syrup has been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that upon bare reading of the F.I.R., it is very much clear that the
owner of the medical shop has fled away from the place of
occurrence and the present petitioner has been arrested who has
nothing to do with the medical shop rather he was present in the
shop only due to the reason that he is brother-in-law of the
owner of the shop.



5. Counsel submits that the said F.I.R. has been lodged in District- Bhagalpur whereas the petitioner is resident of District- Purnea. He further submits that this fact has also been inserted by the police in the F.I.R. On the merit, counsel submits that the quantity of the syrup shall be 7.9 gram.

6. Counsel for the petitioner submits that petitioner is in custody since 11.01.2024 having clean antecedent.

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

8. 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, Bhagalpur in connection with Naugachia P.S. Case No.12 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

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