

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2898 of 2024

Arising Out of PS. Case No.-983 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Ranjit Kumar Mandal S/O LATE NITYANAND MANDAL MUHALLA-
RADHARANI SINGH ROAD, ADAMPUR, PS. JOGSHAR (KOTWALI),
DIST. BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Siyaram Pandey, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kotwali (Jogsar) P.S. Case No. 983 of 2023 lodged under
Sections 20 and 22 of the N.D.P.S. Act. read with 18A, 18B,
18C, 27B(ii), 28 and 28A of the Drugs and Cosmetics Act,
1940.

3. As per the prosecution case, the F.I.R. has been
lodged against the present petitioner against whom there is
allegation that recovery of 20 bottle of capacity 100 ml cough
syrup has alleged to be made, which is subject matter of the
present case.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel further submits that petitioner is in custody since 18.10.2023 and there is one criminal case pending against him which is related to excise act and not related to N.D.P.S. Act.

5. Counsel for the petitioner submits that the quantity of N.D.P.S. material present in the said syrup is only 240 mg which is below the commercial quantity.

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

7. 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 District Judge, Bhagalpur, in connection with Kotwali (Jogsar) P.S. Case No. 983 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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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