

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2537 of 2025

Arising Out of PS. Case No.-55 Year-2023 Thana- LAUKAHA District- Madhubani

Alok Kumar Prasad @ Alok Kumar @ Alok Prasad Sah S/O Baidyanath
Prasad R/v Laukaha bazar ward No. 1, PS- Laukaha, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Section 21/27 of the NDPS Act.

3. A perusal of the first information report and the seizure list would go to show that a total 54 liters of DIALEX cough syrup has been recovered from a truck and the driver, on being apprehended, has disclosed that the seized articles were to be delivered to Govind Medial Store.

4. Learned counsel for the petitioner submits that petitioner has is not named in the F.I.R. and merely on the basis of suspicion he has been made accused. The petitioner has nothing to do with the said seized cough syrup. The name of the



petitioner surfaced in the case only on the basis of the disclosure made by the apprehended driver that a request was to unload the truck on the Govind Medical Store, while the petitioner was proprietor of Govind Medial Hall, which was different from the same and is closed since 2022. It is further submitted that the driver of the truck, namely, Chunnu Ray has already been granted regular bail by this Court vide order dated 28.07.2023 passed in Cr. Misc. No.24713 of 2023, whereas the owner of the said truck, namely, Renu Kumari has also been granted anticipatory bail by this Court vide order dated 12.09.2023 passed in Cr. Misc. No.49457 of 2023. However, it would appear from the order dated 12.09.2023 that the said Renu Kumari had agreed to deposit Rs.10,000.00 in the Patna High Court Legal Services Committee, Patna.

5. Petitioner is also agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of



anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Laukaha P.S. Case No.55 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

6. The bail bonds of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee.

(Soni Shrivastava, J)

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