

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28893 of 2008

Arising Out of PS.Case No. -0 Year- null Thana -null District- MUZAFFARPUR

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1. Gautam Kumar
 2. Jagat Narayan Yadav.

.... Petitioner/s

Versus

State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
Mr. Arun
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 08-05-2015

The petitioners seek quashing of the order dated 07.09.2007 and 17.03.2008 by which the Sub-Divisional Judicial Magistrate, Muzaffarpur (East) has taken cognizance in Minapur P.S. Case No. 227 of 2005 and rejected the discharge petition.

The case of the informant is that on the date of occurrence some medicines and gas cylinders were recovered from the shop of the petitioners which violates the Drugs and Cosmetics Act.

It has been submitted on behalf of the petitioners that subsequently the same was released to its rightful owners. A Doctor claimed to be the owner of the medicines for which he submitted relevant papers and hence Petitioner no. 2 who was his compounder and his son be exonerated from prosecution.

The case diary was called for to verify the credentials of the

petitioners and on going through the same, learned APP finds there is no material to suggest the Petitioner No. 2 was the Doctor's compounder.

Considering such, the application is rejected. The Trial Court is directed to expedite the trial without giving unnecessary adjournment to any party for which reason the trial Court will send a list of witnesses fixing specific dates for their examination along with a copy of this order to the concerned Superintendent of Police who is directed to ensure the attendance of the witnesses on the date fixed so that there is no further delay in the trial.

(Anjana Prakash, J)

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