

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37171 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -JOGBANI District- ARRARIA

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Shankar Soni, son of Rajendra Soni, Resident of village- Swastik Nagar,
Jogbani, Ward No.7, P.S.- Jogbani, Dist- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-11 -2015 Heard both sides.

The petitioner apprehends his arrest in Jogbani P.S.
Case No. 53 of 2015, registered for the offences punishable under
Sections 18(c) & 27(b)(ii) of Drugs and Cosmetic Act.

It is alleged that the petitioner was running a tea stall
near the bus stand and on raid 36 bottles, each containing 100 ml,
Corex cough syrup were recovered.

It is submitted that the petitioner did not sell cough
syrup. The FIR itself is misconceived and the drug inspector under
the drug and cosmetic is entitled to file complaint case and not the
FIR.

Considering the facts aforesaid, the petitioner above
named in the event of his arrest or surrender before the court

below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 53 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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