

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9203 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
KATIHAR

Nilesh Kumar Gupta

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Singh, Advocate.

For the Opposite Party : Mr. Rajesh Kumar(App).

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 27(B) read with Section 18(C), Section 28(A) read with Section 18(B) of the Drugs and Cosmetics Act.

In a room from the house of the petitioner certain drugs were recovered when it is alleged that the drugs were not kept in the specified place as mentioned in the drugs licence.

It is submitted by learned counsel for the petitioner that this is not in dispute that the petitioner was a licensee and the drugs licence specifies the storage area as two rooms of the house

of the petitioner. The seizure list suggests that seizure has been made from the same house from where drugs were stored. Subsequently, drugs licence was cancelled by the authorities but the same has been restored by the Appellate Authority when the Appellate Authority doubted the conduct of the then Drugs Inspector. A statement has been made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Complaint Case No. C-II 18/2014(T.R. No. 699 of 2014) on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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