

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40466 of 2014

Arising Out of PS.Case No. -135 Year- 2009 Thana -SIWAN COMPLAINT CASE District-
SIWAN

1. Ram Suresh Prasad Son of Late Ganga Prasad Resident of Village-
Chainpur, P.S.-Siswan, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Rai

For the Opposite Party/s : Mr. Sucheta Yadav(App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER**

2 26-03-2015 Heard both sides.

The petitioner apprehends his arrest in Trial No. 1960/14 under section 18(A), 18(C), 27(a), 27(b)(ii) and 28 of the Drugs and Cosmetics Act.

It is submitted that the gist of the allegation is that the petitioner was selling drugs without having proper license. It is submitted that on the same facts ,Siswan P.S. Case No. 59 of 2009 was registered and this Court by its order dated 3-12-2010 in Cr. W.J.C. No. 58 of 2010 has quashed the F.I.R. On the same facts the present complaint petition has been filed.

From Annexure-2 it would appear that the petitioner had valid license from 1-1-2007 to 31-12-2011. The raid was conducted on 12-8-2009.

Considering the aforesaid facts, it is directed that in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, the above named petitioner shall be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Subdivisional Judicial Magistrate, Siwan, in connection with Trial No. 1960 of 2014, arising out of C.I.I. Case No. 135 of 2009, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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