

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17395 of 2015

Arising out of PS.Case No. -223 Year- 2014 Thana -PIRBAHOR District- PATNA

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Naresh Prasad, Son of Late Bhola Sah, resident of Naya Tola, Kajipur,
Triloki Market, P.O.- Bankipur, P.S.- Kadamkuan, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jai Kishore Sharma, Advocate.

For the Opposite Party : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-07-2015 The petitioner is apprehending his arrest in connection with Pirbahore P.S. Case No. 223 of 2014 for the offences instituted under Sections 419, 420, 464, 465, 468, 471, 485, 486, 488, 406, 413, 414, 379, 274, 275, 276, 284, 120 of the Indian Penal Code, 27(a), 27(b), 27(c)(iii), 27(d), 28, 28(A), 30(a), 30(b), 30(c) and 36 of the Drugs and Cosmetics Act, 2008, 71(i)(ii)/10A of the Essential Commodities Act, 1955, 22(b), 23(b), 21(b) of the N.D.P.S. Act, 139, 142, 143 of the Income Tax Act and 56(1), 56(4)(b) of the Bihar Sales Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the informant Yashwant Kumar Jha happens to be Drugs Inspector, Patna-11, lodged the F.I.R. stating therein that he conducted a raid in view of



letter no. 111 dated 09.07.2014, letter no. 115 dated 11.07.2014, issued by the Drugs Controller, Bihar, Patna, at five different places relating to M/S. Hanuman Agency and M/S. New Vaccine House, G.M. Road, Patna, and recovered huge quantity of medicine and further having found illegalities prepared seizure list with respect to recovered medicine and sealed the concerned shops and the godown.

It has been submitted on behalf of the petitioner has been implicated in the present case due to mistake of fact. It is further submitted that no specific allegation has been made against the petitioner. It is further submitted that the petitioner is ready to deposit amount of Rs. 5,00,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the same, the petitioner is directed to deposit amount of Rs. 5,00,000/- in the court below which shall be subject to final disposal of the present case and on doing so, 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 twelve weeks from today in connection with Pirbahore P.S. Case No. 223 of 2014, (Special Case No. 55 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 Ist Additional Sessions Judge, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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