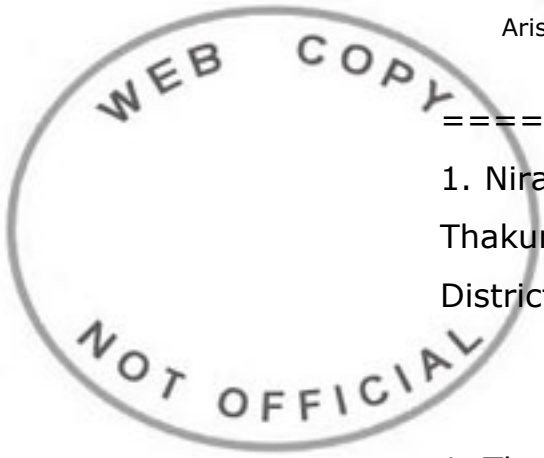




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19258 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN (MOTIHARI)

=====

1. Niraj Kumar Singh @ Niraj Kumar Thakur, S/o Rajeshwar Thakur, Resident of Village-Ahiman Chapra, P.S.-Kalyanpur, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. D.N. Tiwari, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-05-2016 Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor for the State.

 This application, for grant of anticipatory bail, arises out of Kalyanpur P.S. Case No.35 of 2016, disclosing offences under Sections 420, 467, 468 and 471 of the Indian Penal Code and Sections 27(b) (ii), 28 and 27(d) of the Drugs and Cosmetics Act, 1940.

 In course of raid, conducted by the Drug



Inspector, certain allopathic medicines were recovered and seized, there being no proper document in support of such medicines. There was no licence, issued by the competent authority, in favour of running of the said shop. Certain other irregularities were also detected in course of the said raid. It is alleged against the petitioner that he was running the said shop and he slipped away from the place.

Learned Senior Counsel, appearing on behalf of the petitioner, has submitted that the petitioner is not at all concerned with the said shop from where the said medicines were recovered. He has also submitted that no offence, under Section 420, 467 or 468 of the Indian Penal Code, is made out against the petitioner on the basis of what has been alleged in the First Information Report.

Considering the facts and circumstances, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, IXth Motihari**, in connection with **Kalyanpur P.S. Case No.35 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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