

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37233 of 2016**

Arising Out of PS.Case No. -122 Year- 2016 Thana -RAGHOPUR District- SUPAUL

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Awadhesh Kumar, S/o Bindeshwari Bhagat, Resident of Gangjala, Ward  
No. 17, P.S. Saharsa, District Saharsa. .... Petitioner/s

Versus

The State of Bihar .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate  
Mr. Dhananjaya Nath Tiwari, Advocate  
For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

**ORAL ORDER**

2 20-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Raghopur P.S. Case No. 122 of 2016, disclosing offences under Sections 269, 275 and 276 of the Indian Penal Code and 27(b)(ii)27(d) of the Drugs and Cosmetics Act, 1940.

The gist of the allegation so far the present petitioner is concerned, is that one Shivam Kumar was found running a medicine shop without having the requisite licence under the Drugs and Cosmetics Act and in course of a raid conducted by the Drug Inspector in the said medicine shop, a cash memo issued by the petitioner's firm was recovered. The petitioner is proprietor of M/S Shiv Ganga Medical Agency, Saharsa.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that no drug, said to have been purchased

by the said Shivam Kumar through the cash memo recovered by the Drug Inspector was seized in course of raid, conducted by the Drug Inspector. It has also been submitted that said Shivam Kumar has been granted regular bail by this Court vide order dated 17.08.2016 passed in Criminal Miscellaneous No. 34128 of 2016.

In view of the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur at Supaul, District-Saharsa in connection with Raghopur P.S. Case No. 122 of 2016, subject to the conditions as 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 bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Vats/-

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