

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14551 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

1. Dr. Manoj Kumar Sharma, son of Prahlad Sharma R/o Village- Dhol,
P.S.- Kasma, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Parmanand Kumar(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Rafiganj Police Station Case No. 167 of 2015,
disclosing offences under Sections 406, 420 of the Indian
Penal Code and Sections 18 (A), (B), (C), a (vi), 27 (b),
(ii), 28, 28(A) and 27(d) of the Drugs and Cosmetics Act,
2008.

The allegation against the petitioner is that he
was found dealing with certain medicines without any
requisite certificate issued by the Drug Inspector, as
required under the provisions of the Drugs and Cosmetics
Act, 2008.



Learned Counsel for the petitioner has submitted that pursuant to the notice issued to him, under Section 41 (1) of the Code of Criminal Procedure, he had appeared before the Investigating Officer and he never evaded the police and presented himself before the police as and when required in course of investigation. He submits that no purpose would be served if the petitioner is taken into custody in the present case since there is no likelihood of him fleeing from the course of investigation or trial.

Considering the submissions, as above, and the nature of allegation, this application is allowed.

Let the petitioner, Dr. Manoj Kumar Sharma, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj Police Station Case No. 167 of 2015, 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.)

Prabhakar Anand/-

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