

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13193 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -JOGBANI District- ARRARIA

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Birendra Mahto, Son of Late Balram Mahto.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 01-04-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 273, 274 of the Indian Penal
Code and Sections 27(b) (ii)/28/28(B) of Drugs and Cosmetics
Act.

In huge quantity banned cough syrup and other
medicines are said to have been recovered from the house of the
petitioner and petitioner had no valid license for storage of the
aforesaid seized medicines. Petitioner is in jail custody since
15.12.2015.

Contention on behalf of the petitioner is that the
police had got no authority to institute the case under the
provisions of Drugs and Cosmetics Act and only the competent

authority may file complaint petition for the offences of Drugs and Cosmetics Act.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 109 of 2015.

(Hemant Kumar Srivastava, J)

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