

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15709 of 2017

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Raj Kumar Tekriwal, Son of Late Matadih Tekriwal, Resident of Mohalla-
Paharganj, P.S.- Paharganj, District- New Delhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Special Case No. 31 of 2016 corresponding to Araria P.S. Case No. 546 of 2016 instituted for the offence under Sections 272, 273/34 of the Indian Penal Code and Sections 27(b) (ii)/28 of Drugs & Cosmetic Act, 1940, Section 36 AC Drugs and Cosmetic (Amendment) Act, 2008 and Section 22(C) of N.D.P.S. Act, 1985.

It is alleged in the written report that 4,000 bottles of codeine cough syrup was recovered from the campus of Azad Transport Company Pvt. Ltd. The petitioner is said to be the Managing Director of the aforesaid Company.

In paragraph-7 of the bail petition it is mentioned that the aforesaid cough syrup were booked by M/s. Shivam Surgical, Bagirath Place, Delhi and were to be taken to M/s. Al-Sofa Traders, Araria, having drug license. As such, the petitioner was mere transporter of



those drugs and he has nothing to do besides transporting of those drugs.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Special Case No. 31 of 2016 corresponding to Araria P.S. Case No. 546 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Araria, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Sanjay Priya, J)

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