

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8798 of 2017

Arising Out of PS.Case No. -92 Year- 2016 Thana -KANHAULI District- SITAMARHI

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Rakesh Mahto, Son of Simtho Mahto, resident of Village Murhadih, P.S.
Kanhauli, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-03-2017

This is an application for grant of anticipatory bail for offences punishable under Sections 413, 436, 476 and 418 of the Indian Penal Code and under Sections 18(C), 27 (b)(ii), 18A, 18B,28 and 36 AC of the Drugs and Cosmetics Act.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that the shop in question is not of the petitioner rather brother of the petitioner and allegation is that he was running the shop without having valid licence but no such spurious medicines were recovered from the shop.

Heard learned A.P.P. also.

Having heard both sides, in view of the aforesaid fact let above named petitioner surrender in the court below, i.e., Chief



Judicial Magistrate, Sitamarhi, in connection with Kanhaui P. S. Case no. 92 of 2016 within a period of four weeks from the date of receipt/production of a copy of this order, and on his surrender, the court below will enlarge the petitioner on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to its own satisfaction, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to the conditions that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make himself available before the police as and when required. (3) If after submission of chargesheet any incriminating material is found against the petitioner, except what have been stated in the impugned order or in the F.I.R., prosecution is at liberty to move for cancellation of his bail bonds.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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