

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3169 of 2017**

Arising Out of PS.Case No. -363 Year- 2016 Thana -GIRIYAK (KATRISARAI) District-  
NALANDA (BIHARSHARIFF)

=====

Nand Kishore Prasad, Son of late Ramsharan Sao, Resident of Village-  
Mirchaiganj, P.S.- Katrisharai, District- Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Md. Anzarul Haque Sahara, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      03-02-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case instituted for the offence under Sections 467, 468, 471, 420, 120B of the Indian Penal Code, Section 66 of I.T. Act, Sections 18(A), (B), 18(C), 27(C), 28 (A), 27 (B)11, 33 EEC (B), 31 (1) of Drugs & Cosmetic Act, 1940, Sections 3, 4, 5, 7 and 9A of Magic Remedies Act, 1954.

It has been submitted that no any incriminating article has been recovered from the possession of the petitioner. He was not indulging in any type of cheating. There is no allegation of any specific overt act against the petitioner.

The written report has been filed by the I.O. Pinki Prasad stating therein that illegal medicines were sold in the name



of “*Chehra Pahchano and Inam Pao*” scheme, and on raid, the informant has stated that articles were recovered from the persons as named in the written report. It has been stated that two seals of the name of the petitioner and some other papers have been recovered from possession of co-accused Ram Pravesh Prasad. As such, no recovery of any incriminating article was made from the possession of the petitioner.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Giriyak (Katrisarai) P.S. Case No. 363 of 2016, 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 Chief Judicial Magistrate, Nalanda at Biharshrif, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

**(Sanjay Priya, J)**

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