

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24613 of 2017

Arising Out of PS.Case No. -230 Year- 2016 Thana -MADHEPURA District- MADHEPURA

=====

LALIT KUMAR SHARRAF @ LALIT KUMAR SARRAF @ LALIT
SARAFF S/o late Puranmal Saraf Resident of Village- Madhepura,P.S.
Madhepura, District Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Pd. Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 08-06-2017 Heard Mr. Pawan Kumar, learned counsel for the

petitioner and Mr. Damodar Pd. Tiwary, learned A.P.P. for the

State.

The petitioner is apprehending his arrest in
connection with Madhepura P.S. Case No. 230 of 2016 registered
for offence under section 420 of the Indian Penal Code and section
28 (B) of the Drugs & Cosmetics Amendment Act.

The prosecution case, as alleged, in the F.I.R. is that
in course of inspection made by the Drug Inspector, Madhepura,
500 bottles in 05 cartoons each containing 100 ml Corex in the
name of this petitioner being Proprietor of M/s Sweta Medical
Agency, were seized from the Sunrise Transport.



Learned counsel for the petitioner submits that in fact, the Notification of Government of India, as mentioned in paragraph 8 of this application, was challenged before the Hon'ble Delhi High Court and the same was stayed by the Hon'ble Delhi High Court. He further submits that co-accused Sanjiv Kumar @ Sanjeev Kumar @ Sanjeev Jaiswal has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 26950 of 2016 on 01.12.2016 and copy of which has been enclosed as Annexure-2 to this application.

Learned A.P.P. though opposed the prayer for bail, but on face of material available on the record, considering the nature of allegation and fact that the co-accused has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 26950 of 2016 on 01.12.2016, I am inclined to grant the privilege of anticipatory bail to the petitioner.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura/Successor Court in connection with Madhepura P.S. Case No. 230 of 2016, subject to the condition as laid down under section 438 (2) of the Criminal



Procedure Code.

(Rajeev Ranjan Prasad, J)

Mahesh/-

U		T	
---	--	---	--

