

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36288 of 2017

Arising Out of PS.Case No. -350 Year- 2016 Thana -ARARIA District- ARRARIA

=====

Saheb Reza @ Saheb Raza, S/o Wasil Ahmad, resident of Araria, Azad Nagar, P.S. and District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Araria (R.S.) P.S. Case No. 350 of 2016 instituted for the offence under Sections- 272, 273 of the Indian Penal Code, Sections-27(b)(ii), 28 of the Drugs and Cosmetic Act and Sections-22, 25 of the NDPS Act.

As per written report, one Scorpio met with an accident and Drug Inspector found 1100 bottles C syrup (each 100 ml) along with 710 bottles of Corex Cough Syrup loaded on the Scorpio. The petitioner is said to be owner of the aforesaid vehicle.

From the written report itself, it is apparent that the petitioner was not on the spot.

It has been submitted that petitioner is a student. It has further been submitted that police after investigation, submitted final form against the petitioner but the learned court below



differed and took cognizance against the petitioner also.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Araria (R.S.) P.S. Case No. 350 of 2016 to the satisfaction of learned Ist Additional District & Sessions Judge-cum-Special Judge (NDPS Act), Araria subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

A.K.V./-

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

