

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74 of 2017

Arising Out of PS.Case No. -197 Year- 2016 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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1. Lahamu Yadav, son of late Haripada Yadav @ Hari Yadav, resident at-
1/H/42 Ghosh Bagan Lane, Kossipore, Police Station- Kossipore,
District- Kolkata, West Bengal-700002

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-01-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Durgawati
P.S. Case No.197 of 2016 instituted for the offence under
Section(s) 106-B of Drugs & Cosmetics Rules, 1945, 27(b),
27(d) of the Drugs & Cosmetics Act, 1940 and 47(a), 54, 57 of
the Bihar Excise (Amendment) Act, 2016.

It is alleged that Truck bearing registration no. WE
23C 3929 was seized by the Officer-in-Charge, Durgawati P.S.
and on its physical verification it was found that some drugs were
found in the truck in large packets and it was also found that Bill/
Invoice handed over by the truck driver to the seizing authority



did not contain the licence number of the consignee.

It has been submitted that the petitioner is the owner of the truck and was not present at the place of occurrence. From the written report it appears that the truck was going from Haldia to Varanasi. There is no mention in the written report that the owner of the truck (petitioner) was also present in the truck.

In view of such, prayer of the petitioner for anticipatory bail is allowed and it is ordered that in the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Durgawati P.S. Case No.197 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhabua, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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