

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8814 of 2017

Arising Out of PS.Case No. -310 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Abdhesh Sharma S/o Bhuddhan Sharma resident of Village - Saidie, P.S. -
Giriyak, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Krishna Sinha, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, 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 467, 468, 471, 420 and 120B of the Indian Penal Code, under Section 66 of the Information Technology, under Sections 18(A), 18(B), 18(C), 27(C), 28(A), 27(B), II, 33 EEC(B), 33(1) of the Drugs and Cosmetic Act, 1940 and Sections 3, 4, 5, 7, 9(A) of Magic Remedies Act, 11954.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that petitioner is a Baidh and it is alleged that some medicines were recovered from the house of the petitioner. There is nothing on record that those medicines were not permissible under Drugs and Cosmetic Act. He has been made accused in this case when there is nothing against him.

Heard learned A.P.P. also.

Having heard both sides, in view of the allegation made, let above named petitioner, in the event of arrest or



surrender within a period of two weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif, in connection with Giriyak P.S. Case no. 310 of 2016, 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 investigation some incriminating material comes against the petitioner showing any prima facie case against him, prosecution is at liberty to move for cancellation of his bail bonds.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

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