

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20329 of 2017**

Arising Out of PS.Case No. -325 Year- 2016 Thana -PIRBAHOR District- PATNA

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Kamlesh Kumar, Son of Bhola Prasad @ Bhola Prasad Sahu, Resident of  
Village- Palit Niketan, Govind Mitra Road P.S.- Pirbahore, District- Patna.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**  
**ORAL ORDER**

4      29-06-2017                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Pirbahore P.S. Case No. 325 of 2016, registered under Sections  
419, 420, 467, 468, 274, 275, 276 and 120-B of the Indian Penal  
Code, Section 27-B(II), 27(d), 27,28 A/and 27(c) of Drug and  
Cosmetic Act, 2008 and Section 22(b) NDPS Act.

The allegation of informant Sachidanand Prasad is  
that he being the Medicine Inspector raided at M/s. Maa Ambey  
Transport Agency situated at Sarda Enclave, Shop No.B-10,S.P.  
Ghosh Lane, G.M. Road, Patna, which was run by the petitioner.  
In that course, it was detected that several medicines were being  
transported without valid papers without denoting the



name of consignor and consignee and some medicine was also found in the category of spurious drug. In the course of raid, one Vishal Kumar, son of Late Lakhan Prasad disclosed that the medicines are to be transported through Sanjivini Agency for Patna from where the medicines is to be supplied in different medicine shops.

Learned counsel for the petitioner submits that, in fact, the petitioner is the registered proprietor of transport agency and he has no concern about purchasing and selling of the medicines rather his business is only to transport the medicines on the instruction of the clients. Further submission is that petitioner is in custody, in the present case, since 19.12.2016. Further submission is that after investigation, the Police has submitted Chargesheet against the petitioner, while petitioner is accused in two other cases, as detailed in para-03 of the petition, but he is on bail in that cases.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge, Patna in connection with Special Case No. 104 of 2016. Out of two sureties, one surety



must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

**(Rajendra Kumar Mishra, J)**

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