

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59269 of 2017

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

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Satendra Kumar Singh @ Sashi Singh Son of Gauri Shankar Singh All are
R/o Vill - 39 Doghara, Balia, Garhmalpur, P.O. - Ratashi, P.S. - Pakari, Distt -
Balua (U.P.)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 106(B) of Drugs & Cosmetics Rules, 1945 and 27(b), 27(d) of Drugs & Cosmetics Act, 1940 and Sections 47(a), 49, 54, 57 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that homeopathic drugs were being transported on truck, in which certain homeopathic drugs were found of having alcohol content.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has come merely on the basis that he



is one of the consignees in respect of the goods being transported from Kolkata to Varanasi as per the F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has been made accused due to mistake of fact. The goods were never sold in the State of Bihar, rather the goods were in transit on a valid paper.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Kaimur in connection with Durgawati P.S. case No.197 of 2016 corresponding to G.R. No.2248 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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