

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7110 of 2018

Arising Out of PS. Case No.-183 Year-2017 Thana- JOGBANI District- Araria

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1. Raj Kumar Yadav, S/o Munelal Yadav,
 2. Vijay Kumar Yadav, S/o Kailash Yadav, Both resident of Village- Indranagar, Tikulia Basti, Ward No. 10, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-03-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners seek regular bail in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code and Sections 27(b)(ii), 28 r/w 36 Drugs and Cosmetic Act 1940.

Allegation is that from possession of petitioners Lupigesic injection and Diazelab injections were recovered, which are intoxicating and banned medicines.

Learned counsel for the petitioners has submitted that petitioners have got no criminal antecedent. They are in custody since 09.11.2017. The petitioners dispute the recovery from conscious possession of the petitioners. Further submission is



that the factum of seizure is itself doubtful as the seizure list witnesses were not the witnesses on production-cum-seizure memo.

After hearing the parties and considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail for the present in connection with Jogbani(Bathnaha) P.S. Case No. 183 of 2017 pending in the court of learned Chief Judicial Magistrate, Araria.

Hence, prayer for bail is refused.

Let the learned trial court expedite and conclude the trial within a period of six months from the date of receipt/production of a copy of this order, failing which the petitioners would be at liberty to renew their prayer for bail before the court below itself, after six months from today if the trial is not concluded.

(Birendra Kumar, J)

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