

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58665 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -BIHTA District- PATNA

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Neeraj Kumar, Son of Sri Bindeshwari Prasad, Resident of Village:
Alhanpura, Police Station- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with Bihta
PS case no. 144 of 2016 (giving rise to G.R. No. 592 of 2016)
registered for the offences punishable under Sections 147, 148,
504, 379, 149, 506, 427, 379, 353, 500 of the Indian Penal Code
and 22(3)/27 of Drugs an Cosmetics Act.

The allegation is that when the raid was conducted by the
Drug Inspector at M/S Rai Medical Hall, Bihta, Patna, owned by
the wife of the petitioner, the petitioner is said to have called one
Dr. Lalit Mohan Sharma and the said Dr. Lalit Mohan Sharma is
said to have misbehaved and abused the raiding party and had sent
his men to assault the members of the raiding party.

The learned Senior counsel appearing for the petitioner



submits that there is there is no allegation of any overt act as against the petitioner herein and at best if any case is made out, the same is made out against Dr. Lalit Mohan Sharma and others.

It is submitted that the petitioner has a clean antecedent and a false case has been launched against him since the petitioner had protested illegal demand from him.

Considering the facts and circumstances of the case, particularly the fact that there is no specific allegation levelled against the petitioner, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within six weeks, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapura in connection with Bihta PS case no. 144 of 2016, giving rise to G.R. No. 592/16, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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