

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45964 of 2018

Arising Out of PS.Case No. -351 Year- 2018 Thana -FORBESGANJ District- ARRARIA

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1. Raj Kishor Gupta, S/o Late Baidhnath Prasad Gupta
2. Shila Devi @ Maidam ji, w/o Raj Kishor Gupta,
Both resident of Referral Road, Ward No. 07, P.S. Forbesganj, District-
Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur
For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-08-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Forbesganj P.S.**

Case No. 351 of 2018 corresponding to Special Case No. 10 of 2018

instituted for the offence under Section 414 Indian Penal Code and
Sections 21(b)/22 of N.D.P.S Act.

In the written report it is alleged that during raid
conducted by the informant some intoxicated medicines have been
recovered from the godown of Md. Mukim Alam. Md. Mukim Alam
disclosed before the police that petitioners have taken the godown on
rent from him.

Counsel for the petitioners submits that seizure list was
prepared which is part of the First Information Report. The seizure list
does not bear the signature of the petitioners. Md. Mukim Alam did not
produce any supporting document of aforesaid godown which was



given on rent to the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Forbesganj P.S. Case No. 351 of 2018 corresponding to Special Case No. 10 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Sessions Judge-cum-Special Judge, N.D.P.S. Act, Araria**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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