

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36362 of 2018

Arising Out of PS.Case No. -111 Year- 2018 Thana -GAYA RAIL P.S. District- GAYA

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Raushan Kumar age-24 years, S/o Anjani Sharma, Gram- Bhimpura, P.S.-
Makdumpur, District- Jehanabad, Bihar- 804424. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Subodh Kumar and Gopal Bihari, Advs.

For the Opposite Party/s : Mr. Shailendra Kumar-1

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

4 19-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Gaya Rail
P.S. Case No. 111 of 2018, G. R. No. 179 of 2018 registered for
offences punishable under sections 27(b), ii, 28/28A of the Drug
and Cosmetic Act and section 120-B of the Indian Penal Code.

The informant of this case happens to be Drug
Inspector. He seized twenty cartoons of medicines, which were
unloaded from Purshottam Express Train, from platform no. 1 at
Gaya Railway Station. This petitioner claiming to be agent of On
Dot Carrier Cargo Ltd., did not produce any paper justifying
transportation of medicines from supplier to the consignee and
accordingly the present case has been lodged for the offences
under the aforesaid sections.

It has been submitted that the petitioner is agent of



On Doc Carrier Service having no concern with the manufacturing and dealing with the medicines. It is the manufacturer or the dealer who were/are required to produce the license of said medicines. The petitioner is in custody since 5.5.2018 having clean antecedent and so he deserves to be enlarged on bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional District Judge-IX or Additional Chief Judicial Magistrate or Successor Court, Gaya in connection with Gaya Rail P.S. Case No. 111 of 2018, G. R. No. 179 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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