

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23299 of 2018

Arising Out of PS.Case No. -184 Year- 2017 Thana -JAKKANPUR District- PATNA

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Kanhiya Mahto @ Kanhai Mahto, aged about 32 years, Son of Hari Mahto,
R/o Shivhar, P.S. and Distt- Shivhar, at present behind of Machhali Market,
Machhuatoli, P.S.- Kadamkuan, Distt- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Jakkanpur P.S.Case No. 184 of 2017 registered for the offences
punishable under Sections 274, 275, 276, 419, 420, 467, 468,
120B of the Indian Penal Code and Sections 27(d), 28(A) of Drugs
and Cosmetics Amendment Act, 2008.

Petitioner is a tempo driver and allegation against him is
that he was transporting the medicines without having proper
receipt.

Submission of learned counsel for the petitioner is that he
is only a tempo driver and he was carrying medicines and on
enquiry it was found that some of the medicines having without
any receipt and except that there is nothing against him.



Heard learned APP also, who has opposed the prayer for anticipatory bail stating that petitioner was accused in similar type of case.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, surrender within a period of four weeks from receipt of order and on his so surrendering he will be released on provisional bail to the satisfaction of the court below till the submission of charge sheet and once charge sheet has been submitted against him, petitioner shall have to surrender and pray for regular bail, which will be considered on its own merit on the basis of materials available on record.

(Vinod Kumar Sinha, J)

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