

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55245 of 2018

Arising Out of PS.Case No. -235 Year- 2017 Thana -AGAMKUAN District- PATNA

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1. Md. Azimullah Ansari, aged about 51 Years S/o Late Aasgar Ali, 11C Swaraj Path, Tilak Nagar, Lohia Nagar, P.S.- Patrakar Nagar, Town and District- Patna, Manager (Accused No. 2) Cum Authorised Signatory (Accused No. 3) of M/s Shri Nivas (Gujarat) Laboratories Pvt. Ltd. at Shri Nivas Tower , 1st Floor , 527/24, A, B, CIC Nand Lal Chapra, New Bypass Road, P.S.- Agamkuan, District- Patna.
 2. Ranjit Kumar, aged about 42 Years S/o Shri Satish Sahani, Manufacturing and Chemist In Charge, M/s Shri Nivas (Gujrat) Laboratory Pvt. Ltd. Veena Vatika, Baddi, Nalagarh Highway, Manpur, P.S.- Baddi, District- Solan (H.P.)-174101.
 3. Lal Yadav, aged about 45 Years S/o Shri Yogendra Yadav, Manufacturing Chemist in Charge , M/s L.G.S. Formulations, Plot No. 5306, Phase IX, GIDC, Vatna, P.S.- Vatna, District- Ahmadabad-382445.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 274, 275, 276, 419, 420, 467, 468 and 120-B of the Indian Penal Code and Section 27(b)(ii), 27(d), 28A of the Drug & Cosmetics Acts, 2008 registered in connection with Agamkuan P.S. Case No. 235 of 2017.

3. Petitioner has been falsely implicated in



connection with recovery of some expired and broken drugs from the outer premises of the manufacturing Company. Petitioner is the employee of the drug company. It is submitted that the authorized Assistant Manager has informed that Ashok Kumar Tiwari and Sri. Ramashankar are the authorized persons, responsible for disposal of the expired drugs. Chairman of the Manufacturing Company has also been granted anticipatory bail by this Court vide order dated 08.05.2018 passed in Cri. Misc. No. 11302 of 2018. Petitioners claim clean antecedent.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge-1st, Patna in connection with Agamkuan P.S. Case No. 235 of 2017 subject to the conditions as laid down under Section 438(a) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any



similar offence till conclusion of the trial.

- (iii) That the petitioners shall co-operative with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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