

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11302 of 2018

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

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SHRI NIVAS PRASAD, S/o Late Jagarnath Prasad, Chairman cum Managing Director of M/S Sri Nivas (Gujarat) Laboratories Private Ltd. and also proprietor (Chairman & Managing Director) of L.G.S. Formulation, having its office at Veena Vatika, Baddi, Nalagarh Highway, Bagboning, Manpura, District- Solan, Himachal Pradesh and Plot No. 8306, Phase (V), GIDC, Vatna, P.S. Town and District- Ahmedabad (Gujarat), at present Branch Office at 527/24A, B, C/1C Nand Lal Chapra Chowk, New By-pass Road, P.S.- Agamkuan, District- Patna (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with
Mr. Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 08-05-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Agamkuan P.S. Case No. 235 of 2017, registered for the offences punishable under Sections 274, 275, 276, 419, 420, 467, 468, 120B of the Indian Penal Code and 27(b)(II) and 28A of Drugs and Cosmetics Act, 2008.

Allegation against the petitioner, who claims to be Chairman of M/s. Sri Nivas (Gujarat) Laboratories Private Limited and allegation as per FIR against him is that huge quantity of expired medicines was recovered from the godown of the



petitioner at Patna.

Submission of learned counsel for the petitioner is that recovery has been made from the local office, as such, local officers are responsible for that and petitioner is Chairman of the Company and licence of the petitioner was cancelled by the authority concerned but later on the same is restored and petitioner being Chairman there is no chance of absconding.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, surrender within a period of six weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Patna City, in connection with Agamkuan P.S. Case No. 235 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and further condition is that petitioner will co-operate in investigation and appear before Investigating Officer as and when required and whenever he will be going out of country



he has to inform the court concerned and he has to take permission from the court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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