

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52777 of 2018

Arising Out of PS. Case No.-350 Year-2018 Thana- FORBESGANJ District- Araria

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1. Shila Devi @ Shila Gupta @ Madam, W/o Raj Kishor Gupta,
 2. Raj Kishor Gupta S/o Late Baidhnath Prasad Gupta, Both R/o Referral Hospital Road, Ward No. 07, P.S.- Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur
For the Opposite Party/s : Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 21(a)/22 of the N.D.P.S. Act.

Allegation is that 500 bottles of cough syrup has been recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. It is alleged that 500 bottles of cough syrup is recovered. Cough syrup in question does not come within the purview of intoxicant. Hence, no offence under the N.D.P.S. Act



is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Forbesganj P.S. case No.350 of 2018, corresponding to Special case No.9 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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