

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16522 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

1. Ramjan Khan Son of Bhikhu Khan Resident of Village - Sangwa Colony, P.S. Chakeri, District - Kanpur (U.P.).
2. Surendra Rajput Son of Gulab Rajput Resident of Village - Mangla Vihar, P.S. Chakeri, District - Kanpur (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under Sections 27(b)(ii), 27(d) with Section 36 A/C Drugs & Cosmetic Act.

The prosecution case in brief is that 11400 bottles of Phensedyle Cough Linctus of 100 ml. were seized loaded on a truck and on demand, no valid paper was produced.

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 are in custody since 25-12-2018.



Charge sheet has already been submitted. The petitioners are alleged to be driver and cleaner of the truck in question. They had no knowledge regarding the nature of goods booked by the transporter. 1140 litre cough syrup is said to have been seized. There is no compliance of Section 100 Cr.P.C.

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

Considering the aforesaid facts and circumstances, the petitioners named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Kuchaikote P.S. Case No. 385 of 2018.

(Sudhir Singh, J)

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