

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27734 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- TARAIIYA District- Saran

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Brajesh Kumar Thakur @ Brajesh Thakur Son of Late Shyam Thakur,
resident of mohalla-Lakshminagar (Near Railway Station), P.O-
Lakshminagar, P.S-Darbhangha Sadar, District-Darbhangha (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India
3. The Directorate of Revenue Intelligence, Government of India. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Jha
For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 11-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with N.D.P.S. Case No.2 of 2019, arising
from Taraiya P.S. Case No.52 of 2019 registered for offence
punishable under sections 27 (b) (ii) of Drug and Cosmetic Act
and 8 (c) 22 (a) N.D.P.S. Act.

A truck has been seized and from where huge
quantity of cough syrup has been recovered.

The learned counsel for the petitioner submits that
they have transport agency and whoever comes for shifting
goods from one place to another place, they book up the goods



and transport the same to the destination. The learned counsel for the petitioner has given the name of consignor and consignee in paragraphs 3 and 4 of the supplementary affidavit and submitted that the name of consignor is Aradhya Enterprises who booked the items to M/S Surya Roshni, Patna on 17.02.2019 and another consignee is M/S S.M. Sonu Kumar, Patna. The petitioner does not know whether the action has been taken against the consignor or consignee. The petitioner has only a transport agency.

Looking to the fact that the petitioner has a transport agency and was not found near to the truck, his prayer for bail is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge N.D.P.S., Saran at Chapra in connection with N.D.P.S. Case No.2 of 2019, arising from Taraiya P.S. Case No.52 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not



induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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