

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35584 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- JOGBANI District- Araria

Ramkaran Yadav, aged about 39 years, Male, S/o Late Ramrup Yadav, R/o village- Tikulia Basti, Ward No. 10, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Adv.

For the Opposite Party/s : Mr.Amarendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30 (a), 38 (i) of Bihar Prohibition and Excise Act, 2016 r/w Sections 27-B (2), 28, 36 Drugs and Cosmetic Act.

Submission is that allegation has been made some persons have fled away with bags, but the police recovered different medicines including cough syrup.

Learned counsel for the petitioner submits that the present case would not come under the purview of the Excise Act, as the Torex cough syrup is used for cough. The petitioner has no criminal antecedent and has falsely been implicated in this case due to political rivalry and enmity. There is no



recovery from the conscious possession of the petitioner. The co-accused has been granted anticipatory bail by the Coordinate Bench of this Hon'ble Court vide Cr. Misc. No. 32121 of 2019 dated 15.05.2019.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Spl. Case No. 396/2019 arising out of Jogbani P.S. Case No. 75 of 2019 to the satisfaction of the learned 2nd Addl. Sessions Judge-cum-Special Judge, Araria, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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