

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56798 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- SAHARSA District- Saharsa

VIVEK KUMAR @ CHHOTU Son of Bed Narayan Prasad Singh Resident
of Village- Krishna Nagar Ward No. 22, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks Anticipatory bail in connection with
Special Case No. 02 of 2019 corresponding to Saharsa P.S. Case
No. 120 of 2019 registered under Sections 120-B of the Indian
Penal Code and Section 22 of N.D.P.S. Act and Section 18(C),
27(b)(ii), 18A & 36 AC of Drugs & Cosmetics Act 1940,
Amendment Act, 2008.

Informant is the drug Inspector, who in his written
complaint has stated that huge quantity of Codeine Phosphate
Cough Syrup was being transported from Patna to Saharsa and
on receiving such information, he reached the place of
occurrence, upon which accused assembled there started to flee.
However, some of them were apprehended and the apprehended



accused disclosed that the syrup was brought from Bharat Medical, Patna and has also named petitioner as one of the accused. Nothing has been recovered from conscious possession of petitioner and he is a licensee of Medical shop and whole sale dealer in medicine. Charge sheet has not been submitted under the N.D.P.S. Act rather under the Drugs and Cosmetics Act. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge at Saharsa, in connection with Special Case No. 02 of 2019 corresponding to Saharsa P.S. Case No. 120 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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