

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4054 of 2019

Arising Out of G.O. Case No.-13 Year-2014 Thana- Government Official Comp. District-
Darbhanga

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Ratikant Yadav @ Ratikant Kumar, S/O Ram Naresh Yadav, resident of
village- Kawaria, P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioner, neither

learned APP for the State is present nor the brief of the case has

been made available to the learned APP In-Charge of the Court.

Petitioner is seeking anticipatory bail in connection
with G.O Case No.13 of 2014 registered for the offences
punishable under Sections 28, 28 (A) and 27 (D) of Drugs
Cosmetic Act.

Learned counsel for the petitioner submits that on
perusal of the complaint petition (Annexure 2), it would appear
that on 12.02.2014 the shop of the petitioner was inspected and
during inspection some irregularities were found. The main
allegation against the petitioner is that in course of inspection
huge quantity of allopathic drugs labeled “Physician Sample



not for Sale” were found on rack and on chajja inside the premises with other general drugs, there was no legal paper relating to storage such drugs.

As the complaint case is of the year 2015, this Court made a query from learned counsel for the petitioner as to whether the petitioner has been declared absconder because in such circumstance, the anticipatory bail would not be maintainable. Learned counsel for the petitioner categorically submits that he has instruction to say that the petitioner has not been declared absconder and thus the anticipatory bail has been moved before learned Sessions Judge as well as this Court.

In the given facts and circumstances, considering the materials available on the record particularly the nature of allegations the petitioner, this Court directs that in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/-(rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with G.O. Case No.13 of 2014 subject to the condition that the statement made by learned counsel for the petitioner is correct and that the petitioner has not been declared



absconder by the learned Court below. This will be in addition
to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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