

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39814 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- SINGHESHWAR District- Madhepura

Kamal Gupta Son of Suresh Chandra Gupta Director of Logistics Ltd.
Resident of Village - F-62, 1st Floor, P.S.- Rajouri Garden, Tagore Garden,
New Delhi, Distt.- West Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 8(c)/21(c)/22(c)/23/24/25/27(a)/29 of the N.D.P.S. Act and Section 30(a) of the Bihar Prohibition and Excise Act.

Petitioner is Director of a logistic providing company. The petitioner had provided truck on request of the cosigner. On that truck codeine was loaded to reach at the identified consignee. Since in Bihar there is ban on manufacturing and distribution of liquor, the truck was



intercepted and codeine was recovered.

Submission is that the consignee and consigner have already been allowed anticipatory bail. The petitioner had no knowledge nor any role as to what was being loaded by the registered and licensee consigner who was holding licence for distribution and sale of codeine.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with N.D.P.S. Case No.15 of 2020, arising out of Singheshwar P.S. Case No. 228 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below



shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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