

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17846 of 2018

Arising Out of PS. Case No.-527 Year-2015 Thana- GAYA KOTWALI District- Gaya

Manish Kumar Son of Sri Uma Shankar Barnwal R/o Mohalla Swarajpuri,
P.S. - Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Adv.

For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

9 20-12-2021 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection
with Gaya Kotwali P.S. Case No. 527 of 2015 registered for
the offence punishable under sections 419, 420, 379, 413,
414, 467, 468/120B of the Indian Penal Code and section
18(A), 17(B), 27(C) / 27(d) of the Drugs and Cosmetics Act.

Learned counsel appearing for the petitioner
submits that police has no power to investigate any case
under Chapters III, IV and IV-A of the Drugs and Cosmetics
Act as laid down by a Full Bench of this Court in Cr. W. J.C. No.
887 of 2013 (Bablu @ Rajesh Kumar Vs. The State of Bihar &
Ors.).

In view of the submissions advanced on behalf of the petitioner and the ratio laid by the Full Bench of this Court in Cr. W. J.C. No. 887 of 2013 (Bablu @ Rajesh Kumar Vs. The State of Bihar & Ors.), the petitioner deserves to be granted anticipatory bail.

Accordingly, let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing personal bond to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Gaya Kotwali P.S. Case No. 527 of 2015 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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