

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61644 of 2021**

Arising Out of PS. Case No.-172 Year-2021 Thana- LAURIA District- West Champaran

Hari Yadav S/O Late Yamuna Yadav R/o village- Kandhwaliya, P.S.- Lauriya,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 07-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 274, 275, 276, 419, 420 of the Indian Penal Code, Section 27(b)(i), 27(b)(ii), 28, 28-A of the Drugs and Cosmetics Act, Section 36(AC) of the Drugs and Cosmetics (Amendment) Act, Section 7(i)(iii) of the Drugs Prices Control Order and Section 22(b) of the N.D.P.S. Act.

As per the F.I.R., this petitioner is driver of the tractor, in which, seized medicines were found loaded.

It is submitted on behalf of petitioner that petitioner is innocent and no incriminating article has been recovered from his possession. Petitioner, who was driver of the said tractor and unaware about nature of consignment, was arrested and co-accused Danish Zunaid, who is proprietor of the medical store, was also apprehended on the spot. It is submitted that petitioner



was simply following the order of proprietor of the medical store and was carrying the said medicines on the tractor to the godown and on way to the godown, police team arrived and arrested both persons i.e. petitioner and co-accused Danish Zuniad. Petitioner is in custody since 27.07.2021. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 172 of 2021.

(Prabhat Kumar Singh, J)

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