

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9929 of 2015

Arising Out of PS.Case No. -724 Year- 2014 Thana -KHAGARIA District- KHAGARIA

1. Chandan Kumar S/o Shri Ramcharitra Sharma

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 13-03-2015

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Khagaria P.S. Case No. 724 of 2014 registered for the offence punishable under Section 18 C of Drugs and Cosmetics Act, 1940.

According to prosecution case itself, the alleged recovery was made from the premises of Jeevan Lok Hospital and no board on the so-called shop of the petitioner was found.

Learned counsel for the petitioner submits that as a matter of fact, the seized medicines were kept for patients of Jeevan Lok Hospital by the concerned doctors and Rule 5 of Drugs and Cosmetics Act makes a provision for keeping the medicines by registered medical practitioner which is evident from perusal of Anenxure-2 to this petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Khagaria P.S. Case No. 724 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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