

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16470 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Nitesh Kumar Son of Late Harishankar Prasad resident of Village - Sugauli,
P.S. Sugauli, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Smt. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-04-2015

Heard both sides.

The petitioner apprehends his arrest in Sugauli P.S.
Case no. 16 of 2015, registered for the offences punishable under
Sections 420 and 120(B) of the Indian Penal Code and 27(B)(ii),
27(D) of Drug and Cosmetics Act, 1940.

The informant, Drug Inspector, made surprise raid near
Primary Health Centre, Sugauli and found three medicine shops.
Two medicine shopkeepers were apprehended on the spot and the
petitioner was not found in his shop. Petitioner was running the
shop in the house of Pappu Gupta. It is alleged that the petitioner
was running medicine shop without obtaining license.

Learned counsel for the petitioner submits that two

persons were apprehended on the spot have already been granted bail vide order passed in Cr. Misc. no. 10059 of 2015 and Cr. Misc. no. 13184 of 2015. The petitioner was not the shopkeeper. He was not running the shop rather he was a servant in the shop of Pappu Gupta.

It appears that the petitioner, who was running the medicine shop in the house of Pappu Gupta, managed to flee away when the raid was conducted. The petitioner was running the medicine shop without having proper license, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered taking in to consideration that other two accused persons have already been granted regular bail and dispose of on the same day.

(Prabhat Kumar Jha, J.)

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