

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6828 of 2015

Arising Out of PS.Case No. -21 Year- 2008 Thana -GOVERNMENT OFFICIAL COMP. District-
BUXAR

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Ashok Kumar Gupta

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 18(a)(vi), 22(i) of the Drugs and Cosmetics Act, 1940.

The accusation is of recovery of government medicine from the petitioner.

It is submitted by learned counsel for the petitioner that for the same recovery police also filed a case being Buxar Town P.S. Case No. 149 of 2008 in which the petitioner has been granted bail by this Court vide Cr. Misc. No. 10534 of 2009 on the ground that the seized medicines were not found to be spurious. It is further submitted that in the police case the petitioner has been granted bail, hence he could not file application for bail in the

prosecution launched by the Drug Inspector.

Since the case was instituted in the year 2008, this Court is not inclined to interfere.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Complaint Case No. 21(c) of 2008 pending in the court of learned CJM, Buxar.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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