

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23183 of 2016

Arising Out of PS.Case No. -446 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

Sunil Kumar Sah @ Sunil Kr. Sah, son of Late Ram Kishore Sah, resident
of village – Thatiyan, P.S. Kurhani, District Muzuffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. U.L.Verma(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-09-2016 Heard learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in
connection with Kudhani P.S. Case No. 446 of 2015
for the offences registered under Sections 419, 420,
276, 467 and 468 of the Indian Penal Code.

Case dairy of the present case was called for,
which has since been received.

Learned counsel for the petitioner submits
that he is a license holder of the drugs store from
where the alleged recovery is made. It is further
submitted that seizure was not made in his presence
and as such the seizure list does not bear the
signature of the present petitioner. It is further

submitted that the person who has been arrested has levelled the entire blame on the petitioner and he being the license holder is facing prosecution.

Learned counsel for the State after perusal of the case dairy submits that the petitioner was in fact the license holder of M/s Sunil Medical Stores which was being run in the house of Arjun Sah, uncle of the present petitioner. The said Arjun Sah was taken into custody in connection with the present case but has since been released on regular bail. So far as the present petitioner is concerned, he is squarely responsible for the recovery as he was the license holder and it was his duty to ensure that no spurious drugs were kept in his shop and other drugs for which the petitioner has no license were also found in his medical store. Furthermore, the petitioner was also allegedly stocking physician samples in his shops and was selling them in open market from his medical store.

In view of the aforesaid facts and circumstances of the case, I am not inclined to grant

anticipatory bail to the petitioner. It is, accordingly,
rejected.

(Anjana Mishra, J)

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