

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46241 of 2016

Arising Out of PS.Case No. -829 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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UZAIR ALAM @ MD. OZAIR ALAM @ OZAIR ALAM, s/o Md. Samsul
Quraishi, r/m behind Saint Teresa School, Barhai Tola Bettiah, P.S. Bettiah
Town, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 29-11-2016 Heard Sri Umesh Chandra Verma, learned counsel
for the petitioner as well as learned Additional P.P.

The petitioner apprehends his arrest in Bettiah Town
P.S. Case No. 829/2015, registered for the offences punishable
under Sections 27(b)(ii), 27(d) of the Drugs and Cosmetics Act,
1940.

The Magistrate in pursuance of the order of the
Principal Secretary-cum-Chairman, State Health Society and in
pursuance of the order of the District Manager-cum-Chairman,
District Health Society raided the medicine shop of Uzair Alam.
During course of inspection, Uzair Alam was found sitting on the
medicine shop. Different medicines without batch number and
after expiry were seized. The petitioner was not having any licence



for running the medicine shop.

Learned counsel for the petitioner submits that the petitioner is innocent and he has, in fact, committed no offence. The petitioner was not running the shop rather he was running a Kirana shop by the side of the medicine shop, *but* it appears that the team constituting of Executive Magistrate inspected the medicine shop of the petitioner and seized 279 kinds of medicines. Many of the medicines were found strapped. Expiry medicines were found. Medicines were not having manufacturing batch and the petitioner was not having any license to sell the medicines.

Considering the nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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