

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42668 of 2016

Arising Out of PS.Case No. -287 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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Anjani Kumar Sinha, son of Late Surendra Prasad, resident of Lakhibag,
Janakpur, P.S. Mufassil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Mufassil P.S. Case No. 287 of 2016 registered for the offence
punishable under Section 420 of the Indian Penal Code and
Sections 27(B) (ii), 28, 28A, 27(d) of Drugs and Cosmetics Act,
1940 and Amendment Act, 2008.

The prosecution case, as lodged by the brother-in-
law of the petitioner, is that petitioner is running a firm in his
house on rent basis and manufactures medicine at night and
supplies the same outside. Drug Inspector raided the firm of the
petitioner and seized the materials for preparation of Oxytocin Vet
medicine and other materials including ampules from the house of

Krishna Devi, mother of the brother-in-law of the petitioner and reported the matter to the police. It is further alleged that the licence for running the firm produced by the petitioner was valid till 22.04.2014.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that it has wrongly been alleged that his licence had expired on 24.04.2014 as his staff could not produce renewed licence, Annexure-2 to this application, which is valid from 24.04.2014 to 22.04.2019. He submits that due to personal enmity regarding land dispute, petitioner has been falsely implicated by his brother-in-law. He further submits that from the First Information Report and the raid memo itself, it is apparent that the seized drugs have not been tested regarding its genuineness.

However, learned A.P.P. for the State submits that petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioner had a valid licence on the date of raid and that he has no criminal history, let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks

from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Mufassil P.S. Case No. 287 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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