

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21323 of 2016

Arising Out of PS.Case No. -63 Year- 2014 Thana -BEGUSARAI GRP CASE District- BEGUSARAI

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1. Md. Amir Akhtar Ansari Son of Md. Fahimuddin Ansari@Md. Fahimuddin Resident of Village- Baro PS Phulwaria, District Begusarai.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Hussamuddin Azad

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 14-09-2016

Heard both sides.

The petitioner seeks bail in Barauni Rail P.S. case No. 63 of 2014 under Section 27b (ii), 28/ 28A of the Drugs and Cosmetics Act, 1940 and under Section 21/22 of the N.D.P.S. Act, 1985.

The police raided, on secret information, Ansari Dawakhana situated in Jagjiwan market, Barauni and recovered medicines and other articles.

The learned counsel for the petitioner submits that the police raided medicine shop from where Jagdish Prasad Sinha @ Jagdish Prasad Singh was apprehended and different medicines were recovered from his possession. Jagdish Prasad Sinha did not produce any license to run the shop. It transpired that proprietor of Ansari Dawakhana was Md. Amir Akhtar Ansari and Sanchalak of

Dawakhana was Vivek Ranjan. Jagdish Prasad Sinha is the father of Vivek Ranjan, who was sitting on the shop. Jagdish Prasad Sinha has already been enlarged on bail vide order passed in Cr. Misc. No. 51640 of 2014 on 06.01.2015. Vivek Ranjan, son of Jagdish Prasad Sinha, another Sanchalak of medicine shop, has also been enlarged on bail on 01.10.2015. The petitioner is in custody since 10.03.2016 and he is in jail for more than six months. Of course, the petitioner was selling different medicines including Alprazolam and others, without any license. but no medicine was found to be spurious.

Considering the fact that petitioner has remained in jail for more than six months and other accused persons have already been enlarged on bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum- Special Judge, NDPS, Begusarai in Barauni Rail P.S. Case No. 63 of 2014.

(Prabhat Kumar Jha, J)

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