

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33554 of 2016

Arising Out of PS.Case No. -189 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

Pradeep Kumar Gupta, son of Late Babu Lal, resident of Mohalla- K.B. Lal Road, Police Station- Nathnagar, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Sri Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 16-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 03.07.2016 in a case registered for the offences punishable under Sections 22 and 25 of NDPS Act.

From the medical shop of the petitioner 52 bottles of Corex cough syrup 100 ml each and 6 ample of Fortwin Injection were recovered.

It is submitted by learned counsel for the petitioner that it is not the case of the prosecution that the petitioner has no valid licence for the same and the seized medicines are prescription medicines. Statement has been made in paragraph 6 of the petition that the petitioner has a valid licence

which is valid up to 31.12.2017, which reads as follows:-

“That it is submitted that the petitioner has a valid licence to run a Medical shop vide Drug Licence No. 81, 81A/20.07.99 and the same is valid till 31.12.2017.

It is further submitted that the petitioner has no criminal antecedent, statement to that effect has been made in paragraph 3 of the petition.

Considering the aforesaid facts, let the above named petitioner, be released on bail provisionally for three months on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur in connection with Nathnagar P.S. Case No. 189 of 2016.

The provisional bail of the petitioner will be confirmed by the learned court below after getting it verified that the petitioner had a valid licence to run Medical shop on the alleged date of seizure.

(Dinesh Kumar Singh, J)

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