

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43655 of 2015

Arising Out of PS.Case No. -122 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

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Mrs. Kavita Singh, wife of Shri Thakur Ranvijay Singh, Khalasi Tola,
Belwarganj, Gulzarbagh, Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. State of Bihar through Shweta Rani, Drug Inspector, Patna - 3,
Swasthya Bhawan, Sultanganj, Patna- 6.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-02-2016 Heard learned counsel for the petitioner and learned
A. P.P. for the State.

Petitioner apprehends her arrest in connection with
CB Case No. 122 of 2010 registered for offences punishable under
Sections 17-A(b), 18(a)(i), 18(c), 18(a)(vi), 27(a), 27(b) (ii) and
27(d) of Drug and Cosmetics Act, 1940.

As per the First Information Report, lodged on the basis
of a complaint made by the Drug Inspector, co-accused Thakur
Ran Vijay Singh, who is the husband of the petitioner, was
involved in manufacturing life saving drugs without a valid
licence. When raid was conducted in M/s Camellia Laboratories,
Thakur Ran Vijay Singh produced a fake drug manufacturing



licence. Petitioner is the proprietor of the said M/s Camellia Laboratories. Petitioner and co-accused Mustaffa Hussain, son of Manjar Hussain was partner in the said business and they had executed a power of attorney in favour of Thakur Ran Vijay Singh. On raid, it was found that laboratory was manufacturing life saving drugs without having provisions for sterilized condition and other requirements to ensure proper manufacturing and storage of the said medicines. In the said laboratory, some adulterated medicines were also found.

It has been submitted by the counsel for the petitioner that she is innocent, has no criminal antecedent and her husband, co-accused Thakur Ran Vijay Singh has been admitted to the privilege of regular bail by a Coordinate Bench of this Court and one Manjar Hussain has been granted bail by the learned court below itself. Since the allegation against the petitioner is that she was the proprietor and partner of other co-accused, Mustaffa Hussain and that had executed power of attorney in favour of Thakur Ran Vijay Singh, who has already been granted bail, she also deserves grant of anticipatory bail.

Considering the allegations, I am not inclined to grant the privilege of anticipatory bail to the petitioner. This application is, accordingly, rejected.

However, if the petitioner surrenders in the court of A.C.J.M., Patna City and prays for regular bail, learned court below will take into consideration the grounds on which other co-accused have been granted bail and decide the matter in accordance with law.

(Nilu Agrawal, J.)

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