

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.359 of 2016

Arising Out of PS.Case No. -5 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
DARBHANGA

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1. Hareram Sah Son of Kapleswer Sah, resident of village-Pakahi, Post-
Jhajhra, P.S.- Kusheswar Asthan, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sita Ram Yadav

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 07-01-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under sections 27(B)(2) and
28 of the Drugs and Cosmetic Act.

It is alleged that the petitioner was running a
medical shop without having valid licence.

It is submitted by the learned counsel for the
petitioner that total medicine worth rupees two thousand eighty
was recovered. The nephew of the petitioner applied for the drugs
licence though his licence was issued subsequent to the lodging of
the case and the quantity of recovery does not reflect that the

petitioner was selling the medicine and only on suspicion the accusation has been levelled. It is further submitted that the complaint does not suggest that any one was purchasing medicine from the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with G.O. Case No. 5 of 2014 pending in the court of learned SDJM, Biraul at Benipur.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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