

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17026 of 2017

Arising Out of PS.Case No. -110 Year- 2016 Thana -MAHESHKHUNT District- KHAGARIA

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Shiv Shankar Prasad Keshri @ Shiv Shankar Pd. Keshri, Son of Late
Manager Prasad Keshri, Resident of Prem Medical Hall, Mahesh Khunt,
P.S.- Mahesh Khunt, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Madhuranand Jha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 09-05-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mahesh Khunt P.S. Case no. 110 of 2016, registered under Section
420 of the Indian Penal Code and Section 18(C)27(b)(ii) of Drugs and
Cosmetic Act, 1940.

The accusation is that in course of search of M/s. Prem
Medical Hall, Mahesh Khunt, which belongs to the petitioner, it was
found that the petitioner had kept and stored the medicines in the room
of one Ram Chandra Chaurasia without valid license of storing the
same.

Learned counsel for the petitioner submits that, in fact,
the petitioner has licence of selling of the medicine, which would
appear from Annexure-2, and some medicine was stored in the rented



room of Ram Chandra Chaurasia by the petitioner, which is said to be without licence. Further submission is that section 18(C)27(b)(ii) of Drugs and Cosmetic Act, 1940 are bailable in nature, except Section 420 of I.P.C which is not attracted against the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-III Class, Khagaria in connection with Mahesh Khunt P.S. Case No. 110 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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