

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25916 of 2017**

Arising Out of PS.Case No. -195 Year- 2016 Thana -DARBHANGA District- DARBHANGA

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1. Atahar Hussain @ Rashid @ Md. Athar Hussain Son of Mozaffar Hussain, Resident of Mohalla -Bhigo Near Millat College, P.S.- Laheriasarai, District- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Md. Sufiyan

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      20-07-2017                      Heard both sides.

The petitioner apprehends his arrest in G.O. Case No. 21 of 2016 arising out of Darbhanga P.S. Case No. 195 of 2016 registered for the offences punishable under Sections 21(b)(c) of the N.D.P.S. Act and under Sections 22(3), 27(b) (i), 28 (B), 26 A/C Drugs and Cosmetic Act.

The informant SHO of Darbhanga Town police station apprehended Md. Prince @ Md. Ezaz who was standing by side of scooty bearing Registration No. BR 07W-4321. From the dicky of the scooty 352 tablets of Proxyvon Plus, 2 bottles Cortex, 30 tablets of Anxiety 0-5 and 21 tablets of NTRAVH were recovered. The apprehended accused is said to have disclosed that



he purchased the medicine from Indian Medicine and M.S. Medicine.

Learned counsel for the petitioner submits that the petitioner is the licensee of Shifa Medical Hall but, the petitioner has falsely been implicated in the case. The petitioner did not sale any medicine to the accused Md. Prince without any prescription. No cash memo of the shop of the petitioner was recovered from the possession of Md. Prince.

Considering the facts aforesaid and nature of allegation, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order 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 learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Darbhanga in G.O. Case No. 21 of 2016 arising out of Darbhanga P.S. Case No. 195 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

KKSINHA/-

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