

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34167 of 2018

Arising Out of PS.Case No. -394 Year- 2018 Thana -SITAMARHI District- SITAMARHI

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Bimlesh Kumar S/o Guddu Rai, R/o Dumara, P.S.- Dumra, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sitamarhi P.S.
Case No. 394 of 2018 for offences punishable under Sections 275,
276, 419, 420, 120(B) of the Indian Penal Code and Section 27 (b)
(ii), 28, 27 (d) of the Drugs and Cosmetics Act, 1940.

The prosecution case, as lodged by the Drug Inspector,
is that on conducting the raid in a godown, seized large number of
different medicines and even expired and the persons present there
namely Rajeev Kumar and the petitioner could not produce any
license as dealer of the said medicine.

It has been submitted by the learned counsel for the
petitioner that he is innocent, the medical hall is in the name of



Rajeev Medical Hall and the raid was conducted in the godown. The proprietor has a valid license which is Annexure-2 for the period from 15.05.2013 to 14.05.2018 and the petitioner is neither the owner of the said medical hall or godown nor proprietor. He submits that he is just the staff of the said medicine shop and godown and has nothing to do with the said medicine. The petitioner has no criminal history, is languishing in judicial custody since 15.04.2018 and is ready to cooperate in the investigation.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 1st Additional Sessions Judge-cum-Special Judge (Drugs & Cosmetics Act), Sitamarhi in connection with Sitamarhi P.S. Case No. 394 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) The petitioner will appear before the police station/court as and when required and will not tamper with the prosecution



witnesses, failing which his bail bonds will be liable for cancellation.

(Nilu Agrawal, J)

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