

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49828 of 2018

Arising Out of PS. Case No.-342 Year-2018 Thana- Purnea Sadar District- Purnia

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Manish Kumar, Son of Sri Mahendra Prasad @ Mahendra Das, Resident of Mohalla- Anand Nagar, Ward No.42, P.O.- Khushkibagh, P.S.- Purnea Sadar, District- Purnea.

... .. Petitioner

Versus

1. The State of Bihar
2. Sri Yashwant Kumar Jha, Son of Kulanand Jha, Resident of Village – Suryapur, P.O. - Sarangpur, P.S. - Samastipur, District – Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar
For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-08-2018 Heard Sri Ranjit Kumar, learned counsel for the petitioner. None appeared on behalf of State.

The sole petitioner, who is in custody since 24-06-2018 in Purnea Sadar P.S. Case No. 342 of 2018 registered for offence under Section 421 of the Indian Penal Code and Sections 27(b)(ii), 27(d), 28 of the Drugs and Cosmetics (Amendment) Act, 2008, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that petitioner has falsely been made accused on the basis of information given by Drug Inspector, as if, from the house of the petitioner, medicines, which were only for government supply, were recovered and no other document was



produced by the petitioner. At the very outset, it was argued by learned counsel for the petitioner that under the provision of Drugs & Cosmetics Act, the Drug Controller is only authorized to file complaint, not F.I.R. He further submits that petitioner is having clean antecedent, which fact has been stated in paragraph – 3 of the petition.

Besides hearing learned counsel for the petitioner, I have also perused the material on record and after going through the same, I am of the opinion that it is a fit case for grant of bail.

Let the petitioner namely Manish Kumar 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 Chief Judicial Magistrate, Purnea in connection with Purnea Sadar P.S. Case No. 342 of 2018.

(Rakesh Kumar, J.)

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