

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36974 of 2018

Arising Out of PS. Case No.-51 Year-2018 Thana- ANDHRAMATH District- Madhubani

Raj Kumar Sah @ Raj Kumar Sahu, Son of Sri Ram Lakhan Sahu @ Lakhan Sahu, Resident of Village- Kushmahi, P.S.- Andharamath, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Andharamath P.S Case No. 51 of 2018 (G.R. No. 496 of 2018) registered for the offences punishable under Section 27(b) (ii) & 28 of the Drugs and Cosmetic Act.

Allegedly, 133 items of medicines were recovered from the shop of the petitioner and the petitioner was having no license.

Submission is of false implication and that the entire prosecution version is full of concoction and fabrication, there is no recovery of prohibited drugs or no spurious medicines, during investigation no independent witness has supported the prosecution version, without any fault the petitioner is suffering in



custody since 29.04.2018 having no criminal antecedent, he has sufficiently been penalized by remaining in custody at this stage and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner has kept those medicines for sale though he was having no license.

In the facts and circumstances stated above, considering the detention of the petitioner now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur (District- Madhubani), in connection with Andharamath P.S. Case No. 51 of 2018 (G.R. No. 496 of 2018), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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