

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9979 of 2018

Arising Out of PS.Case No. -184 Year- 2017 Thana -JAKKANPUR District- PATNA

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Rahul Kumar S/o Sudama Prasad, R/o Station Road, Khusrupur, P.S.-
Khushrupur, District- Patna, Proprietor of Tanish Pharma, Maa Bhawani
Palace, Govind Mitra Road, P.S.- Pirbahore, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Smt Pushpa Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 274, 275, 276, 419,
420, 467, 468, 120(B) of the Indian Penal Code and
27(d)/28/A of Drugs and Cosmetic Amendment Act 2008.

The petitioner is Proprietor of M/s Tanish
Pharma.

Allegation is that some drugs were seized
from possession of some other persons who purchased the
same, from the shop of this petitioner. Petitioner had granted
money receipts in respect of some of the medicines. However,
had not granted any receipt in respect of remaining
medicine.



Submission is that there is no allegation that the recovered drug was found spurious one. Only allegation is non-grant of receipt which may attract a case of theft of medicine.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Jakkanpur Police Station Case No.184 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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