

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8114 of 2018

Arising Out of PS.Case No. -320 Year- 2017 Thana -PIRBAHOR District- PATNA

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Bijendra Kumar @ Bikendra Kumar, son of Satyadeo Prasad, resident of
A/14, Maa Bhawani Palace, Govind ZMitra Road, PS Pirbahore, District
Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-02-2018

Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Pirbahore PS
Case No. 320 of 2017 registered under Sections 419, 420, 467, 468,
120B of the IPC, Sections 28, 28A, 27(d) of Drugs and Cosmetic Act
and Section 36AC of Drugs and Cosmetic Amendment Act.

The allegation in brief is that some drugs were recovered
from the possession of one Mukesh Kumar who disclosed that part
of the medicines were purchased from the shop of the petitioner and
he had issued sale receipt of eight types of medicines except the four
remaining medicines.

Learned Counsel for the petitioner submits that under the
Drugs and Cosmetic Act institution of the police case is without
jurisdiction, more over co-accused similarly situated was admitted to
anticipatory bail by a coordinate Bench of this Court and the
petitioner is in custody since 19.11.2017.

Having considered the said facts and circumstances, the
petitioner, namely, Bijendra Kumar @ Bikendra Kumar is directed to
be released on bail on furnishing bail bonds of Rs. 10,000/- (ten
thousand) with two sureties of the like amount each to the
satisfaction of CJM Patna in connection with Pirbahore PS Case No.
320 of 2017.

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(Arun Kumar, J.)

