

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21423 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- BHABHUA District- Bhabhua (Kaimur)

Bipin Kumar S/o Lt. Raja Ram resident of Village Ambedkar Nagar, Barha,
Pathar, Dehri On Sone, District Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 24-05-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends his arrest in connection with
Bhabhua PS Case No.8 of 2018, registered under Sections 409,
353 and 120(B)/34 of the Indian Penal Code.

Allegation in brief is that expired medicines worth
Rs.1 crore was stacked in the store of the Sadar Hospital,
Bhabhua. The same was detected during inspection by the
Deputy Superintendent of the Hospital and as per allegation
storage was done without any order from the Civil Surgeon. It is
also alleged against the petitioner that he neither assisted the
inspection team in the inspection process nor produced stock
register even after repeated direction. It is disclosed by the
petitioner that Ajay Kumar Yadav, the predecessor had kept the



expired medicine in the store. The medicines were for the purpose of supply to patients admitted in the hospital but the medicines were not supplied and got expired, so the petitioner and Ajay Kumar Yadav entering into a conspiracy has caused loss of government of money to the tune of Rs.1 crore and more.

Learned counsel for the petitioner submits that the petitioner is merely a Clerk in the stores being Storekeeper so he has no role in keeping the expired medicine. Moreover the medicines were kept by his predecessor, Ajay Kumar Yadav and he has been granted provisional bail by a co-ordinate Bench of this Court.

Learned counsel for the State submits that it is a big scam worth Rs.1 crore. The medicines purchased for patients were not issued by the store rather kept in the store of the hospital may be replacing the medicine with expired one and petitioner never reported the matter to any concerned authority and there was no order of the authorities for keeping the expired medicines and the enquiry report of the Deputy Superintendent reflects the involvement of the petitioner being the Storekeeper and custodian of the store.

Having considered the aforesaid facts, nature and gravity of the offence reflecting a scam of serious nature, the



Court is not persuaded to the grant anticipatory bail to the petitioner.

Accordingly, the prayer of anticipatory bail of the petitioner is rejected.

(Arun Kumar, J)

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