

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50526 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- PIRBAHOR District- Patna

SMT. NITU SINHA Wife of Muni Shankar Prasad @ Dawlu Daughter of
Shiv Shankar Prasad Resident of Bari Road, Police Station-Civil Line,
District-Gaya. at present M/S Kamakya Pharma, G.M. Road P.S.-Pirbahore,
District-Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Pirbahore P.S. Case No. 9 of 2019 for the offence under Sections 420, 274, 275, 276, 467 and 468 of the Indian Penal Code and Section 27(c), 28, 28(a), 27(b)(iii), 27(d) of Drugs and Cosmetics Act, 2008.

The criminal case has been registered on the basis of a written application of Drug Inspector addressed to the Officer-in-Charge of the police station. It is alleged that from the petitioner's shop and go-down, drugs and medicines, life of which had expired, and livestock medicines were recovered in course of raid conducted by the officials. Allegedly, the petitioner was not having the requisite license with her at the time of raid.



Learned counsel appearing on behalf of the petitioner has submitted that it is mainly because of dispute with her landlord that a false case has been got instituted. He has also submitted that the petitioner does have the requisite license to run the shop for the period 02.06.2018 to 01.06.2023. In support of his submission, he has relied on Annexure-2 and Annexure-2'A' of the application.

I have perused Annexure-2 and 2'A', which cannot be termed as license. The petitioner appears to have paid fee for issuance of license, but no license, granted by the competent authority, has been brought on record.

Considering the above, this application is dismissed.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If she does so, her application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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