

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8193 of 2020

Arising Out of PS. Case No.-510 Year-2019 Thana- PATLIPUTRA District- Patna

Dr. Shailendra Kumar @ Shailendra Kumar, Son of Rajballav Sao, Resident of Village - Nadaul Bairam Chak, P.O. - Nadaul, P.S.- Masaurhi, Distt - Patna. (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Patliputra P.S. Case No. 510 of 2019 for the offence under Section 420 of the Indian Penal Code and Rule 18(c), 18(a)(vi), 18(A), 18(B) read with Section 27(b)(ii), 27(d), 28, 28(A) of the Drugs & Cosmetic Act, 1940 Amended Act, 2018.

Allegation against the petitioner is that he has stored medicine and other drugs without any valid license. The conduct of selling medicine without valid license is offence under the Drugs and Cosmetic Act apart from the provisions of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he is in custody



since 11.11.2019. He further submits that the petitioner is a recognized medical practitioner (RMP) as per certificate No. 2493 dated 19.06.1993 and Aurvedaratna as per certificate date 10.08.1993 and also registered Hakim by Rakiya Ayurvedic and Unani Chikitsa Parishad Bihar as per Certificate No. 11545 dated 06.11.1993 and therefore kind of medicine seized cannot be held to be unauthorized.

Considering the totality of the facts situation, particularly, the claim of the petitioner that he is registered medical practitioner, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Judge-XII-cum-Additional Chief Judicial Magistrate, Patna in connection with Patliputra P.S. Case No. 510 of 2019.

(Anil Kumar Upadhyay, J)

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