

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14366 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- BUDDHACOLONY District- Patna

KARUNA SHARMA, aged about 50 years (Female), W/o Sri Tripurari Sharma, Resident of Flat No.304, Amitabh Kunj Apartment, P.S.- Budha Colony, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shashank Shekhar, Advocate.

For the Opposite Party : Mr.Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 274, 275, 468, 420/34 of the IPC and 27(d), 28, 28(A) of the Drugs and Cosmetic Act, 1940 and Amendment Act, 2008.

The prosecution story, in brief, is that during course of investigation, accused persons Sandip Mukhiya and Vinayak were interrogated regarding the occurrence of rape dated 10.01.2020 and 06.01.2020 and they disclosed that they have purchased narcotic and psychotropic medicines from T.P. Medical Stores, Boring Road, Patna, and after having this information the police conducted raid in the said medical shop



with Assistant Drug Inspector and in course of search, the petitioner and others were found present in the shop. It is alleged that on demand the accused persons did not produce bills of the narcotic and psychotropic medicines and the Codin Cough Syrup seized which were as described in Form-16 the details of which were not mentioned in the records of the shop and only duplicate bills were found. It is further alleged that during enquiry, it was also surfaced that the accused persons were selling the said medicine without any prescription by issuing duplicate bills.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 11.01.2020. The petitioner has been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has a license under the Drugs and Cosmetics Act. She is a retailer. The only allegation is that proper vouchers are not being issued in respect of sale of drugs from the shop of the petitioner. The said allegation is denied by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioner above named, 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 the learned A.C.J.M.-
cum-Sub Judge-II, Patna, in connection with Budha Colony P.S.
Case No. 09 of 2020.

(Sudhir Singh, J)

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