

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26893 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- RAJNAGAR District- Madhubani

LAXMAN RAM Son of Late Bakheri Ram Resident of Village- Bhutaha
(Bazaar), P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-10-2020 Heard Mr. Manoj Kumar Jha, learned counsel for

the petitioner and Mrs. Anita Kumari Singh, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
G.R. No.02/2020 (NDPS 02/2020) arising out of Rajnagar PS
Case No. 08/2020 registered for the offence punishable under
Sections 419, 420 of the IPC and 27(b) (ii)/27(d) of Drugs and
Cosmetics Act.

3. The allegation against the petitioner, as per First
Information Report, is that police along with officials of Drugs
and Cosmetics Act raided the shop of the petitioner and
recovered three cartons of medicines along with a huge quantity
of syringe and injections etc from the rack of the shop. It is
further alleged that petitioner was doing the business of



medicines without any license.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the petitioner was not found selling the medicines and said medicines have been recovered from Chajja (parapate) situated outside of the open verandah of the shop of the petitioner. Learned counsel for the petitioner further submits that petitioner is in custody since 09.05.2020.

5. Learned counsel also submits that instead of lodging a complaint case by the competent officer as per Drugs and Cosmetics Act, an FIR has been lodged by the police and there is no allegation that the drug recovered from the shop of the petitioner is spurious.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 09.05.2020, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, LAXMAN RAM be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Madhubani in connection with G.R. No. 02/2020 (NDPS 02/2020) arising



out of Rajnagar PS Case No. 08/2020.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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