

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75432 of 2019

Arising Out of PS. Case No.-301 Year-2019 Thana- JAYNAGAR District- Madhubani

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VINAY KUMAR @ VINAY KUMAR YADAV Son of Late Mahendra Yadav
Resident of Village-Khiramath, P.S.-Jaynagar, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 24-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Jainagar P.S. Case No. 301 of 2019, registered under Sections 420, 353/34 of the Indian Penal Code and Section 18(C) 27(b)(ii), 22(3) and 36(A) of the Drug and Cosmetics Act, 2008 pending in the court of the learned S.D.J.M. Madhubani.

The accusation is that on receiving complaint from the office of the Civil Surgeon, Madhubani, informant Dr. Md. Washim Akhtar, Drug Inspector along with Police personnel reached at Bela Chowk for checking of Vinay Medical Shop. On seeing the raiding party, the shopkeeper fled away, while the neighbourers disclosed the name of owner of the medicine shop as Vinay Kumar (Petitioner), son of Late



Mahendra Yadav, Resident of village-Khairamat, P.O. Bela, P.S. Jainagar, District-Madhubani. On checking of the shop, it was found that the license of the medical shop was not displayed in the shop and request was also made to the neighbourers to make arrangement of the license of the shop, but it was not produced before him. On search, various medicines, as detailed in the F.I.R., recovered from the shop.

Learned counsel appearing on behalf of petitioner submits that, in fact, petitioner is running medical shop after obtaining proper license, but at the time of raid, the petitioner was not present at his shop due to that reason, license of the medical shop could not be produced to the informant.

Record shows that copy of the license has not been attached with the bail application, as claimed by the petitioner.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law



without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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