

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.448 of 2020

- Netram Patel, S/o Mukundlal Patel, Aged About 60 Years, R/o Singhrupali, Police Station Patewa, Tahsil and District Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Food and Drugs and Cosmetic Department, Mahasamund, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Manoj Paranjpe, Advocate
Shri Gagan Tiwari, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

30/06/2020

1. The applicant has preferred this bail application under Section 438 of CrPC, as he is apprehending his arrest in connection with Criminal Complaint Case No.187/2020 pending before the Judicial Magistrate First Class, Mahasamund, for the offence punishable under Sections 18 (A), 18 (c) and 27 (b) (ii) and 28 of the Drugs and Cosmetics Act, 1940.
2. The applicant is not a qualified doctor to practise modern system of medicines, yet he was found to be treating and dispensing allopathic medicines and 27 different kinds of allopathic medicines have been recovered from the applicant's clinic.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the fact that the medicines found were of ordinary nature and not any objectionable medicine was found and the offence has been registered only for the reason that the applicant is not a qualified doctor yet he is treating and dispensing medicines, as also for the reason that the applicant is aged about 60 years, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
5. Accordingly, the bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions:-
 - (i) he shall make himself available for interrogation by a police officer as and when required.
 - (ii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

Sd/-
Prashant Kumar Mishra
Judge

Nirala