

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39449 of 2021**

Arising Out of PS. Case No.-309 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAHUL RAJ Son of Shree Gopal Prasad @ Gopal Prasad Resident of
Mohalla- Ishakchak, B- Tola, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s P.K.Shahi, Sr. Advocate
Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-12-2021 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 188 and 420
of the Indian Penal Code and sections 18(c), 18(a)(vi), 18,
18(B), 27(b)(ii), 27(d), 28 and 28A of the Drugs and Cosmetics
Act, 1940 (amended 2008), sections 59 and 60 of the Disaster
Management Act 2005, and section 7 of the E.C.Act, 1955.

As per the prosecution case, one Alam was caught
trying to sell Remdesiver injection in black on the basis of
papers/documents. It is further stated that on inquiry he
disclosed that the documents had been produced by the
petitioner herein who is Manager of Pulse Hospital.



It is submitted by learned senior counsel for the petitioner that the allegations as levelled against the petitioner are false and concocted. No incriminating article has been recovered from his possession. The material against him is the statement of the co-accused made before police. The petitioner is in custody since 6.5.2021 and chargesheet has been submitted in the case. He has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the petitioner having remained in custody for 7 months, the petitioner is directed to be enlarged on bail in connection with Kotwali P.S. Case no. 309 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II-cum-Special Judge (Excise Act), Bhagalpur.

(Partha Sarthy, J)

Spd/-

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