

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41429 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

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Nirmal Kumar Singh @ Nirmal Singh S/O Randhir Singh Resident Of
Village-Mohanpur, P.S-Barahat, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal
		Mr.Pravin Kumar Sinha
For the Opposite Party/s :		Mr. Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 22-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Drugs and Cosmetics Act Case No. 03/2021, arising out of Ishakchak P.S. Case No. 56/2021, registered for the offence under Sections 188, 420, 201 of the Indian Penal Code and Sections 18(C)/18(a) (vi)/18, 18(B), 27(B)(ii), 27(d), 28, 28A of Drugs and Cosmetics Act, Section 50 / 60 of Disaster Management Act and Section 7 of the Essential Commodities Act.

As per the prosecution case, on 04.04.2021 through invoice No. 00279 cash memo was issued by Krishna Medico, in which, sale of Fortwin Injection on Rs. 400/- was shown and it is alleged that this was done on being asked by this petitioner, who is clinical staff of co-accused Dr. Abhilesh Kumar and Dr.



Monika Rani.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. Petitioner has got no concern with the said medical shop. Petitioner has got clean antecedent and he is in custody since 08.05.2021. Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Incharge Addl. Sessions Judge cum Special Judge, Drugs and Cosmetics Act, Bhagalpur in connection with Drugs and Cosmetics Act Case No. 03/2021, arising out of Ishakchak P.S. Case No. 56/2021, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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