

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46514 of 2021

Arising Out of PS. Case No.-265 Year-2021 Thana- GANDHIMAIDAN District- Patna

RAJU KUMAR S/O BHUSHAN CHAUDHARY R/o village- Pirapur, P.S.-
Jandaha, District- Vaishali Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.K. Shahi, Sr. Advocate
Mr. Pranav Kumar Jha, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 188 and 120B of the Indian Penal Code, sections 52 and 53 of the Disaster Management Act, section 3 of the Epidemic Disease Act, section 7 of the E.C. Act and section 28 of the Drugs and Cosmetics Act.

As per the prosecution case, on a raid being conducted one Md. Altaf Ahmad was caught selling two vials of Remdesivir Injection for a sum of Rs. 50,000/-. On enquiry he stated that the same has been provided by his brother-in-law Dr. Asfaque Ahmad. On enquiry from Dr. Asfaque Ahmad, he accepted that the same had been provided by Raju Kumar, the petitioner herein. It is further stated that on the petitioner being called and an enquiry being made he accepted that he had



provided the said injection for sale.

It is submitted by learned senior counsel for the petitioner that the petitioner has been falsely implicated in the case. The material which has been relied on in implicating the petitioner happens to be the statement of co-accused Dr. Asfaque Ahmad made before police. The said Dr. Asfaque Ahmad has been enlarged on bail vide order dated 23.8.2021 passed in Cr. Misc. no. 40473 of 2021. No incriminating article has been recovered from the petitioner's possession who is in custody since 6.5.2021. The petitioner has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with grant of bail to co-accused Dr. Asfaque Ahmad and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Gandhi Maidan P.S. Case no. 265 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 S.D.J.M, Patna.

Prakash/-

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(Partha Sarthy, J)

