

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37953 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

Richa Kumari @ Richa Srivastava W/o Manjesh Amit R/o Mohalla Shahganj,
Benta, P.O.- D.M.C., P.S. Laheria Sarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra
For the Opposite Party/s : Mr. Dilip Kumar No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-04-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Petitioner apprehends her arrest in Laheriasarai P.S.
Case No.145 of 2021, N.D.P.S. Case No.13/21, registered for
the offences punishable under Sections 420/34 of the Indian
Penal Code and Sections 27(b)(ii),28,28(A),27(d),36 AC of the
Drugs & Cosmetic Act 1940 (Amendment 2008) & Section
22(b) of the Narcotic Drugs and Psychotropic Substances Act,
1985.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that drug licence is in the name of
the petitioner, therefore, the petitioner has been made accused in
the present case. It is further submitted that petitioner is a



wholesale drugs dealer having a valid licence which empowers the petitioner to sell, stock or exhibit (or offer) for sale, or distribute drugs by wholesale, drugs other than those specified in [Schedules C, C(1) and X] (Annexure-2). It is submitted that at the time of raid the Drug Inspector asked for the purchase bills of the medicines and the husband of the petitioner requested for at least 24 hours time to show the bills as the enterprise of the petitioner was running and it was impossible to scrutinize the bills one by one immediately. The bills of purchase are annexed as Annexure-3 series to this petition. It is submitted that the husband of the petitioner was apprehended by the police and he has been granted regular bail by a co-ordinate Bench of this Court.

The learned APP opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the fact that licence is in the name of the petitioner for which the petitioner is made accused in the present case, let petitioner, above named, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned District & Sessions Judge-cum-Special Judge, N.D.P.S., Darbhanga in connection with Laheriasarai P.S. Case No.145 of 2021, N.D.P.S. Case No.13/21, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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