

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48387 of 2021

Arising Out of PS. Case No.-187 Year-2021 Thana- SHASTRINAGAR District- Patna

Dhupendra Kumar Son of Sohrai Ram @ Sohrai Ravidas Resident of Village-
Sanda, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Shashtrinagar P.S. Case No. 187 of 2021 instituted for the offences under Sections 417, 418, 419, 420 and 120(B) of the Indian Penal Code read with Section 7 of the E.C. Act, Section 3 of the Epidemic Diseases Act, 1897 and Section 27 (b)(ii) of the Drugs and Cosmetics Act, 2008.

Learned counsel for the petitioner submits that the petitioner is in custody since 14.05.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of black marketing of oxygen cylinder by the petitioner and Dr. Abul Wafa during the pandemic.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in the case based on the confessional statement of Dr. Abul Wafa who stated that he took oxygen cylinder through this petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that one has not forgotten that what was the condition of the patients dying during the pandemic when Corona was at its peak and persons like the petitioner were making hay when the sun was shining by indulging in black marketing of oxygen cylinder which was in grave scarcity and much in demand and was being sold in between Rs. 70,000/- to Rs. 1,00,000/-. Learned A.P.P. further submits that informant is a Special Executive Magistrate, leader of crack down team of black marketing of oxygen cylinder and as such it cannot be presumed for the present that the petitioner came to be implicated in the present case for some ulterior reasons.

Considering the fact that the allegation against the petitioner is very serious in nature, the Court is not inclined to grant bail to him. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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