

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51073 of 2021

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

NIKHIL KUMAR JHA Son of Late Uday Kant Jha Resident of Flat No. 40/2D, Ashirwad Enclave, Anandpuri West, Boarding Canal Road, P.S.- S.K. Puri, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-06-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Ishakchak P.S. Case No. 56 of 2021, registered for the offences punishable under Sections 188, 420, 201 of the Indian Penal Code and under Section 18 (c)/18B, 27(b)(ii), 27(a), 28, 28A of Drug and Cosmetic Act, 1940 under Section 27 (b) (II), 27(a), 28, 28 A of Amendment Act, 2008 under Section 50/60 of Disaster Management Act, 2005 and under Section 7 of Essential Act, 1955.

As per allegation, when the Drug Inspector raided the shop of the petitioner, he found that Fortwin injection which MRP is Rs. 30/- was sold for Rs. 400/-. In this respect the Drug Inspector



found an invoice from the shop of the petitioner.

Learned counsel for the petitioner has submitted that petitioner is proprietor of that shop. Presently the license has been cancelled. Prior to the occurrence the petitioner has established his business in Delhi and he was residing in Delhi. The shop was run by the employees and the FIR shows itself that computer operator had disclosed that he had sold the injections as per request of one Nirmal Singh who is Staff of Dr. Nikhil Kumar and Monika Rai.

Considering the above-mentioned facts and circumstances, especially the fact that the license of the petitioner is already been cancelled, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist-cum-Special Judge, Bhagalpur in connection with Ishakchak P.S. Case No. 56 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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