

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52141 of 2021

Arising Out of PS. Case No.-458 Year-2021 Thana- KANKARBAG District- Patna

Manish Kumar @ Manish Son of Upendra Kumar Pandey Resident of Village
- Shrinagar Chandi, Jaitpur, P.S.- Baheri, District - Nalanda at present near
Sriram Hospital, P.S.- Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 420, 188, 120(B) of the Indian Penal Code,
Section 52, 53 of the Disaster Management Act, under



Section 3 of Epidemic Disease Act, under Section 7 of the Essential Commodities Act and under Sections 28, 36 of the Drugs & Cosmetics Act.

The prosecution case as per F.I.R is that three persons namely Bhaskar Pathak, Nitish Kumar and Amit Kumar were apprehended while trying to sell Remdesivir injection at higher cost worth Rs. 1,20,000/- They disclosed the names of the petitioner and one Sashi Yadav as the persons who provided the injection to the apprehended accused persons to sell it in the black-market.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. The petitioner is one of the Directors of Niveda Hospital and served the people during the strain of COVID-19 and since he did not give undue favour to some influential people during COVID-19, hence, this false case has been registered against the petitioner. Moreover, the petitioner was not apprehended from the



spot nor anything has been recovered from the conscious possession of the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Kankarbagh P.S. Case No. 458 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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