

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12639 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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BHARAT PRASAD GUPTA S/O LATE RAMCHANDRA SAH @
RAMCHAND SAH Resident of Village- Jagdishpur, P.S.- Sahebganj,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. HEMANT KUMAR PANDIT DRUG INSPECTOR MUZAFFARPUR-03,
DISTRICT, MUZAFFARPUR. BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Bela Singh, Adv.
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 18(c) and 18 'B', 27(b)(ii) and 28A
of Drugs and Cosmetics Act.

Allegedly, a raid was conducted in the premises of Gupta
Traders (Baba Ki Dukaan) English medicine and Grocery shop
and the co-accused sitting in the shop could not produce receipt
regarding the medicines. The co-accused Deepak Kumar
disclosed that the said shop was run by the petitioner.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The name of petitioner transpired in the case only on the statement of the co-accused Deepak Kumar. It is submitted that neither the petitioner was present in the shop nor any incriminating article has been recovered from his conscious physical possession. The petitioner has no concern with the said shop and the proprietor of the shop are Ramchandra Sah and Prabhakar Gupta, whose names were printed on the outer wall of the shop. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in connection
with Drug and Cosmetic Act Complaint Case No.67/2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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