

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66615 of 2023**

Arising Out of PS. Case No.-12 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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BIPIN KUMAR SINGH @ VIPIN KUMAR SINGH @ VIPIN KUMAR S/O
LATE JAGESHWAR PRASAD SINGH R/O VILLAGE- ENAI, P.S-
BAHERI, DIST.- DARBHANGA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Abhay Kumar Roy

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 31-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with
G.O. Case No.12 of 2020, registered for the offence punishable
under Sections 27(B)ii/28 of Drug and Cosmetic Act, 1940.

3. Allegedly, the petitioner is said to have been running a
chemist shop without a valid license.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
levelled against the petitioner is not specific rather general and
omnibus in nature. He submits that the petitioner has no chemist
shop and nothing has been recovered from his possession.



Petitioner was not involved in manufacturing, sale and distribution of drugs. He further submits that the drugs recovered were life saving medicine for the purpose of providing it to the needy during the period of Covid-19 Pandemic. He lastly submits that no offence u/s 27(B)II/28 of Drugs and Cosmetics Act is present against the present petitioner after bare perusal of entire record of complaint. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner was running a chemist shop without obtaining license. It also transpires that Form-16 so prepared for the articles recovered from the shop of the petitioner contains 84 articles of drugs.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law considering the judgment



of the *Hon’ble Apex Court* in the case of *Satendra Kumar Antil vs. Central Bureau of Investigation & Anr : (2022) 10 SCC 51.*

(Anjani Kumar Sharan, J)

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