

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13569 of 2024

Arising Out of PS. Case No.-7 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Ajit Kumar @ Ajeet Kumar S/o Ram Shobhit Kushwaha R/o vill - Akrahr
Ghat, ward no. 01, P.S. - Saharghat, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari NA Presently on the Post of Drug Inspector, Madhubani 01,
Sadar Hospital Campus (Office of Drug Control Administration),
Madhubani

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024 Heard Mr. Vishwajeet Kumar Mishra, learned counsel
for the petitioner and Mr. Shyam Kumar Singh, learned APP.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 07 of 2023 for the offence under Sections 18(C), 18(A) read with Sections 27 (b) and 28 of the Drugs and Cosmetic Act, 1940 with 1945 Rules (Amended in 2008) lodged on 19.07.2023 by the complainant, Kiran Kumari.

3. As per the prosecution story, on the instruction of the Civil Surgeon, Madhubani, the place of Dr. Ram Shobhit Mahto (RMP) was raided and an unauthorized medical shop was found in his house. As no document was provided and it



was informed that it is being run by his son, the petitioner herein, the medicines were seized and as no licence was issued, the present FIR.

4. Learned counsel for the petitioner submits that his father is a registered RMP practitioner, used to bring some medicines from authorized drug shop, the same got accumulated which the authorities have shown as number of drugs to show that a shop was being run. The further submission is that no such shop was there, he do not has any criminal antecedent and further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he is ready to pay Rs. 50,000/- to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer stating that on raid it was found that unauthorized drugs were there without any licence, as such, the FIR.

6. Taking into account the fact that the raid was in the premises of Dr. Ram Shobhit Mahto, the petitioner is his son, has no criminal antecedent, FIR lodged and will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 50,000/- to the Chief Minister's Relief Fund as undertaken by the learned counsel for



the petitioner.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ADJ, 1st, Madhubani in connection with Complaint Case No. 07 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.



8. With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

