

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81514 of 2023**

Arising Out of PS. Case No.-6 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- Madhubani

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1. Surendra Sahu @ Surendra Sah S/O Late Sitaram Sah Village- Singhiyaun, Ps. Rajnagar, Dist.Madhubani
  2. Keshaw Thakur @ Keshaw Kumar S/O Dilip Thakur Mohalla- Chakdah (MADHUBANI), Ps. Madhubani Town, Dist. Madhubani
  3. Manish Ranjan S/O Jagjiwan Sah Village- Sahpur, Ps. Pandaul, Dist. Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pankaj Kumar Verma Na The Petitioner The Drugs Inspector Madhubani-4, Office Sadar Hospital Campus, Ps. Madhubani Town, Dist. Madhubani, Pin Code- 847211.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar Jha  
For the Opposite Party/s : Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      07-03-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with  
C.R. Case No. 06 of 2023 dated 03.07.2023, instituted for the  
offence punishable under Sections 18(c), 18(a), (vi) and 27(b)  
(ii), 27(d) of Drugs and Cosmetic Act 1940 and Amendment Act  
2008.

3. The prosecution case, in short, is that opposite party  
no. 2 made raid at the Mithila Navjivan Hospital, Ranti Road



Madhubani on 08.05.2023 with other officers and found petitioner no. 1 at Medical store of the said hospital, who represent himself as staff of the said hospital, petitioner no. 2 is the manager of the said hospital and petitioner no. 3 is the proprietor/owner of the said hospital and on demand they never produce any license of the said shop and there was no any sale-purchase register in the shop. It is further alleged that informant seized some medicine from the shop for chemical examination.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that F.I.R. itself reveals that the alleged hospital was raided on 08.05.2023 but the complaint petition has been filed on 03.07.2023, after a lapse of two months without any cogent explanation. It is further submitted that from perusal of seizure list, it would be evident that the alleged recovered medicine was of standard quantity which was used only in emergency situation. It is further stated that after chemical examination of the medicines, the medicines were found to be of standard quality and only irregularity is with regard to maintaining of record. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with C.R. Case No. 06 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1<sup>st</sup> Cum Special Judge, Madhubani, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

Sankalp/-

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