

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59991 of 2025

Arising Out of PS. Case No.-43 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ritesh Prasad Gupta S/o- Shri Bharat Prasad Gupta Moh- Moolchand Lane
Ps- Town Samastipur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Shankar Das

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 18(c),
27(B)II, 18(a)(v), 27(D), 18(A), 28 of the Drugs and Cosmetic
Act, 1940 and Section 420 of the IPC.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 14-12-2015, an inspection of a godown attached
with M/S Pritee Drug Agency was carried out in presence of an
Executive Magistrate and during course of inspection, it was
found that petitioner is owner of the drug shop and he confessed
that godown was running without licence, it is next alleged that



running of drug godown is prohibited under Drug and Cosmetic Act, further some expired medicine and physician samples were found stacked.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner had earlier moved before this Court by filing CWJC No. 9376 of 2016 and the same was disposed of by an order dated 12-8-2016 with a direction to the appellate authority to consider and dispose of the appeal filed by the petitioner within a period of 3 months. It is further submitted that thereafter the seized medicines were released in favor of the petitioner, as would manifest from specific pleadings made at para-16 of the anticipatory bail application.

5. The learned APP opposes the anticipatory bail application and submits that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the trial to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case (G.O) No. 43 of 2016 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioner after obtaining anticipatory bail is trying to delay the framing of charge or after framing of charge is delaying the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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