

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81706 of 2024

Arising Out of PS. Case No.-2 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Madhubani

-
- 1 . Amit Kumar Sah @ Amit Kumar Son of Late Sukhdev Sah R/O Vill.-
Bihari, P.o. and P.s.- Madhwapur, Dist.- Madhubani
 2. Chandan Kumar Sah @ Chandan Sah Son of Late Sukhdev Sah R/O Vill.-
Bihari, P.o. and P.s.- Madhwapur, Dist.- Madhubani

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Kiran Kumari Wife of Sri Shailesh Kumar Drugs Inspector, Madhubani- 01,
R/O Vill.- Shekhali, P.o.- Beshwak, P.S.- Islampur, Dist.- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-03-2025 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehends arrest in a case registered
for the offence punishable under sections 27(b) (ii), 28 , 28A
of Drug and Cosmetic Act 1940 and rules 1945 (Amendment
2008) .

3 . As per the prosecution case , on the alleged date



and time of occurrence , informant namely Kiran Kumari along with others raided a medical shop of the petitioner which was running without valid and proper license . During raid, 31 types of drugs and some other types of suspected drugs were recovered from the shop of petitioner.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case . The medical shop M/s Sah Medical Hall was established by father of petitioners namely Late Sukhdeo Sah . The license of the medical shop was granted in the name of father of these petitioners was valid upto 31.12.2022 and on 26.12.2017, the license was renewed with effect from 01.01.2018 to 31.12.2022 . It is further submitted that prior to the institution of present case , the S.I. of Madhwapur P S namely Virendra Kumar Paswan had lodged Madhwapur P S case No. 115 of 2021 dated 16.09.2021 against petitioner No. 2 and others and the instant case is for the same occurrence of the aforesaid case .

5 . Learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation against the petitioners that without proper valid license they were running the alleged medical shop where the aforesaid drugs were recovered.



6. Considering the aforesaid facts, nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

Koushik/-

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

