

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82222 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Mithilesh Kumar Roy S/o Late Ramchandra Roy Resident of Village -
Saidpur, P.S - Chakmehsi, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinita, Drug Inspector, Samastipur - 2 (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saurav Anand
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint case punishable for the offence under Sections 18(c), 18(A), 18(a)(vi), 65(18) and Section 27(b)(ii), 28, 27(d) of the Drugs & Cosmetic Act.

3. On 29.08.2024 at 12.35 PM, an inspection was held in petitioner's centre namely Puja Sewa Sadan and during inspection, some medicines, including Antigen kits having mentioned 'not for sale', were recovered and on being asked, petitioner did not produce any valid licence for keeping those medicines and as such, aforesaid complaint was lodged.

4. Learned counsel for the petitioner submits that



petitioner is not proprietor of the aforesaid centre, rather is posted as Manager and was in no way responsible for keeping those substandard medicines nor he is manufacturer of those medicines and as such, no case under the Drug & Cosmetics Act is made out against petitioner. The alleged recovered 396 kits were being used for pathology test.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. I cum Special Judge, Drugs and Cosmetics Act, Samastipur in connection with Complaint Case No. 2 of 2024, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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