

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83054 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

SANJAY KUMAR CHOUDHARY S/O Shiv Kant Sharma @ Shिवkant
Choudhary Resident of ward no. 6, Anchal Shivajinagar, Kariyan, Karian,
P.S.- Rosera, District- Samastipur, Bihar-848117

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal , Advocate
Mr. Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends his arrest in a case registered for the offence punishable under sections 27 b (ii) and 28 of the Drugs and Cosmetics Act, 1940.

3 . The prosecution case, in brief, is that Drug Inspector conducted an inspection at Sarvmangla Clinic, Kariyan on 17.04.2025 where a non-licensed and unnamed medical store was found operating in the premises of the aforesaid clinic, which was being run by this petitioner.

4. It is submitted on behalf of the petitioner that petitioner is neither proprietor of the shop nor has he got any



concern with the aforesaid occurrence . Moreover, the present complaint case has been lodged after inordinate delay of 48 days for which there is no plausible explanation which itself creates doubt over the entire prosecution case. There is no material on record to show the complicity of this petitioner in the alleged occurrence. Petitioner claims clean antecedent.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the aforesaid facts, delay in lodging the F.I.R. clean antecedent of the petitioner and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, 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 the learned District and Additional Sessions Judge – I Samastipur in connection with Samastipur C . R. Case No. 02 of 2025 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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