

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 952/2026
[Arising out of Cri. Complaint (D & C) Case No. 16/2025]

Manoj Kumar S/o Late Jawahar Lal
R/o Mohalla- Nai Sadak, Maulaganj,
P.S.- Vishnupad, District- Gaya Ji

----- Petitioner

VERSUS

The State of Bihar

----- Opposite Party

06.04.2026

An anticipatory bail application has been filed on behalf of above named accused/petitioner, who is apprehending his arrest in connection with ***Cri. Complaint (D & C) Case No. 16/2025***, for the offences registered **U/s. 27(C), 28(A) & 36AC of the Drug & Cosmetic Act, 1940.**

2. Heard both the sides on the bail application.

3. Learned defence counsel, submitted that prior to this, the petitioner has not filed either anticipatory or regular bail petition before this Court or the Hon'ble Patna High Court. It is further submitted that the petitioner is quite innocent, has committed no offence and has been falsely implicated in this case. The allegation levelled against this petitioner is false and fabricated rather the fact is that this petitioner has no concern with any transaction of any spurious medicine. Petitioner was unable to produce sale purchase bill as the record was online and he is not friendly with electronic device like computer and after calling his accountant he produced bill of concerned medicine. Co-accused Anita Devi has already been granted anticipatory bail by this Court vide A.B.P. NO. 121/2026, Dated 21.01.2026. It is further submitted that petitioner having no criminal antecedent Hence, it is prayed for granting the privilege of anticipatory bail to the petitioner.

4. Per contra the Ld. Spl. P.P. appeared on behalf of State friendly opposed the prayer for anticipatory bail.

5. The case of the prosecution, in brief, is that on 27.05.2025 a joint inspection was conducted under the supervision of the Assistant Drug Controller, Gaya and Drug Inspector at the premise of M/s Rajesh Medical Agency. During the inspection, form 15 was issued in respect of 12 types of medicine, as the proprietor failed to produce purchase bills thereof and the sale and disposal of those medicines were prohibited for a period of 20 days. That upon expiry of 20 days, he produced the

purchase of bills of two medicines. Being asked he said that he has purchased only one strip of the suspicious durg, namely Clavam-625 tablet from M/S Mahakal Agency A.N. Road.

6. Heard both the parties and perused the material available on record. From perusal, it appears that this is complaint based on Drug & Cosmetic case lodged by Dr. Wasim Akhtar, Drug Inspector, Gaya-02, 04 & 06. During inspection the proprietor failed to produce purchase bills of ten medicines mentioned in Form-15 and all ten medicines were seized in presence of two independent witnesses and among the ten medicines one suspicious Drug namely Clavam-625 tablets, manufactured by Alkem Health Science, quantity 10x10 tablets was found. During investigation, proprietor of M/s Rajesh Medical Agency admitted that he had purchased the spurious drug from the Ms Mahakal Agency and when asked from the accused petitioner Manoj Kumar who is competent person of Ms Mahakal Agency and husband of proprietor/ co-accused Anita Devi, who admitted that he had sold the said medicines without issuing a sale bill and he further stated that he did not remember from where he had purchased the drug. Today Ld. Counsel for the accused petitioner has submitted the purchase bill. petitioner is an old man aged about 61 years claimed to have clean antecedent vide para 03 of his bail petition. Moreover co-accused Anita Devi who is the proprietor of M/s Mahakal Agency and wife of accused petitioner has already been granted anticipatory bail by this Court vide A.B.P. No. 121/2026, dated 21.01.2026.

7. Considering the aforesaid facts and circumstances of the case and proviso of the Section 36AC of the Drugs & Cosmetics Act, this court thinks it fit to grant the privilege of anticipatory bail to the petitioner. Accordingly, it is directed that in the event of his arrest or surrender before the Ld. Court below within a month from the date of this order, the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each. This direction for anticipatory bail is subject to all conditions stipulated u/s. 482 of BNSS.

(Dictated)

Sd/-
(Shshi Kant Ojha)
Addl. Sessions Judge-I, Gaya
06.04.2026