

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 1616/2026
[Arising out of Cri. Complaint (D & C) Case No. 15/2025]

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Tara Kumari W/o Surendra Kumar Gupta
R/o Village- Jalalpur, P.S.- Roshanganj,
District- Gaya

----- Petitioner

VERSUS

The State of Bihar

----- Opposite Party

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30.04.2026

An anticipatory bail application has been filed on behalf of above named accused/petitioner, who is apprehending her arrest in connection with ***Cri. Complaint (D & C) Case No. 15/2025***, for the offences registered U/s. 27(C), 28, 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 any 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 due to village politics. Petitioner is not the proprietor of the alleged medical hall rather she was mere an employee who was working under the registered pharmacist. It is further submitted that petitioner is woman and 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 by the raid team of Drug Inspector comprising Sri Sunil Kumar, Drug Inspector, Gaya Ji 01 and Dr. Md. Wasim Akhter, Drug Insepctor, Gaya Ji 02, 04, 06, at the premise of M/s Shanvi Medical Hall, Raniganj, Imamganj, Gaderiya. During the inspection, the proprietor of the shop was not present. Staff member Sri Dharmendra

Kumar was found present at the premises. On demand, he produced the drug licenses of the shop which is valid upto 19.04.2028. Registered pharmacist Sri Deepak Kumar absent during inspection. During inspection, 02 vials of counterfeit medicine namely Orofer FCM Injection valued Rs. 76,00/- were found on the rack for sale. On asking, the staff could not produce the sale-purchase record of the said medicine. On scanning the QR code, product authentication also failed. Accordingly both the vials of the said medicine were seized in Form-16.

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 the purchase bill of two vials injection namely Orofer FCM mentioned in Form-16. Copy of acceptance letter is attached as Annexure-IX with the bail petition in which accused petitioner has admitted that she is the proprietor of the M/s Shanvi Medical Hall, Raniganj and she also stated that the alleged injections were purchased by one of his staff of his shop Sumit Kumar, assuming it was good deal but he did not take bill, id proof or number. She also apologized for this offence. Petitioner is woman and she claimed to have clean antecedent vide para 03 of her bail petition.

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 her arrest or surrender before the this Court 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
30.04.2026