

IN THE COURT OF 01st DISTRICT & ADDL. SESSIONS JUDGE
ROHTAS AT SASARAM
ANTICIPATORY BAIL PETITION NO. 304 of 2026
Arising out of Official Case No. 01 of 2025
Under Section 18(c), 18(a), 27(b)(ii), 28 of Drugs and Cosmetics Act,1940.

IN THE MATTER OF:-

Md. Kashif Khan, Aged about 34 years
S/o- Md. Mustakim Khan
R/o- Mohalla –Kila, Thana Chowk, Sasaram, District- Rohtas

..... Petitioner.

Versus

The State of Bihar

.....Opposite Party.

For the Petitioners : Md. Shamshud Alam, Ld. Advocate.

For the O. P. (State) : Mr. Upendra Kumar, Ld. P.P.

ORDER

16.03.2026 This **pre-arrest bail** has been preferred u/s 482 of Bharatiya Suraksha Nagrik Sanhita, 2023 (438 Cr.P.C.) on behalf of the above noted accused apprehension of arrest in connection with Official Case No. - 01 of 2025 for the offence under section 18(c), 18(a), 27(b)(ii), 28 of Drugs and Cosmetics Act,1940. The parties have already been heard. The matter is posted today for order. The order follows:-

The learned counsel for petitioner / accused reading out the contents of F.I.R., has submitted that the petitioner is quite innocent and committed no offence and he has been falsely implicated in this case due to enmity and he has no criminal antecedent. He further added that cognizance has been taken under section 18(c), 18(a), 27(b)(ii), 28 of Drugs and Cosmetics Act,1940 by the Id. S.D.J.M. and the petitioner can be arrested in this case at any time and the petitioner is a working person in Jeevan Jyoti hospital and emergency care and due to pressure of the police the petitioner gave the photocopy of his aadhar card and the medical store is registered with the name of abhinav kumar singh and the petitioner is not the owner of jeeva hospital but the owner of the jeeva hospital is abhinav kumar singh. He further added that the drugs inspector has made the seizure list but the seizure list does not contain the signature of the petitioner and added that the investigating officer has registered this case with the coalition of owner of the medical store abhinav kumar singh. He further submitted that the petitioner deserves anticipatory bail as the petitioner is man and means so question of absconding does not arise and the petitioner is ready to furnish bail bond to the satisfaction of the court enshrined under section 482 of B.N.S.S.,2023 and prayed to enlarge the petitioner on pre-arrest bail.

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Continued..
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Per contra, the Ld. P.P appearing for the State has opposed the prayer for pre- arrest bail submitting that the allegation is direct against the accused / petitioner and serious in nature. Hence, prayed to reject it.

After giving due attention to averments of both parties it goes to appear from the record including the trial court record that the case was lodged under section 18(c), 18(a), 27(b)(ii), 28 of Drugs and Cosmetics Act,1940. The prosecution report contains the allegations under the drugs and cosmetics act, directly indicates towards the petitioner/accused as the allegations are serious in nature, this court does not find it a fit case to extend the privileges of pre-arrest bail to the petitioner/accused. As such it is refused with a direction to the petitioner/accused to surrender before the court below within a period of fortnight from the date of this order.

(Dictated)

(Illegible)

(Pankaj Mishra)
1st District & Additional Sessions Judge,
Rohtas at Sasaram
16.03.2026

Date of judgement/order	16.03.2026
Date of reserving judgment/order	11.03.2026
Uploading date	18.03.2026
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