

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41803 of 2016

Arising Out of PS.Case No. -162 Year- 2016 Thana -GAYA KOTWALI District- GAYA

Jai Prakash Gupta son of Suraj Prasad, resident of Mohalla New Godown,
G.B. Road, P.S. Kotwali, District Gaya, Proprietor of M/S. Bright Pharma
Laboratory, New Godown, G.B. Road, P.S. Kotwali, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : M/S. Raj Kumar & Praveen Kumar

For the Opposite Party/s : Smt Pushpa Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD
SINGH**

ORAL ORDER

2 23-09-2016

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends arrest in a case registered for the offences punishable under sections 36AC, 27(b)(ii), 27C, 28B and 28A of the Drugs and Cosmetics Act, 1940 as amended by the Drugs and Cosmetics (Amendment) Act 2008 read with Sections 419, 420, 120-B of the Indian Penal Code.

Learned counsel for the petitioner submits that there is no allegation of any adulteration or spurious or misbranding of drugs. The petitioner has a drug manufacturing unit manufacturing, inter alia, Oxytocin injections which are meant both for human and veterinary use. The allegation is that

they were not labeled. Learned counsel for the petitioner submits that it was in the process of manufacturing Oxytocin and it was yet to be packed.

Be that as it may, the petitioner above named in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall 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 Chief Judicial Magistrate, Gaya in connection with Gaya Kotwali P.S. Case no. 162 of 2016 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Navaniti Prasad Singh, J)

Amin/-

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