

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45904 of 2023

Arising Out of PS. Case No.-12 Year-2011 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Bihari Jee Keshari Son Of Shri Sidhnath Keshari Resident Of Mohalla- Jangal
Bazar, Dumaraon, Post And Ps- Dumaraon, Dist- Buxar

... .. Petitioner

Versus

The State Of Bihar Through Ranjeet Kumar, Drug Inspector, Buxar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 27 (C) 28 and 28A of
the Drugs and Cosmetics Act.

3. As per the prosecution case, samples of Powrin
tablet was taken from a Medical Store in which petitioner was
working as pharmacist and the same was found to be
substandard and spurious.

4. Learned counsel appearing for the petitioner
submits that though there is allegation, but the inspection report
reveals that no Powrin tablet was found in the Medical store in
question thus whole prosecution case fails. Moreover, petitioner
was merely a pharmacist and not the owner of the Store.
Petitioner claims clean antecedent.



5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned 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 Judicial Magistrate 1st class, Buxar in Complaint Case No. 12(O) of 2011, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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