

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51033 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- BIRPUR District- Supaul

Mukesh Giri Bharti SON OF LATE BHOLA BHARTI Residing of
Kanchanpur Nagarpalika, Ward No.8, P.S.- Beriyar, Dist -Saptri Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Prabhat

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Birpur (Bhimnagar O.P.) P.S. Case No. 12 of 2024 for the
offences punishable under Sections 22(b) of the NDPS Act.

3. As per allegation, on a secret information, the
informant along with police personnel reached the place of
occurrence and found there two suspected persons. On attempt
being made by the informant to stop them, one of them fled
away by throwing some medicines but the another person was
apprehended and from the apprehended person Spasmo
Proxyvon 144 tablets were recovered.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. He has further submitted that the tablet of Spasmo Proxyvon is a pain killer. He has also submitted that even if the allegations as alleged is taken to be true for a moment, the case may come under Drugs and Cosmetics Act. The petitioner is a person of clean antecedent and is under custody since 07.01.2024.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Supaul in connection with Birpur (Bhimnagar O.P.) P.S. Case No. 12 of 2024, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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