

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83422 of 2023

Arising Out of PS. Case No.-2 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

Umesh Kumar Son Of Late Yogeshwar Mahto R/O Vill - Betaunha, P.S. -
Jaynagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ravi Prakash Mr. Gagandeo Yadav Mr. Vinod Kumar Mr. Rajesh Kr. Mr. Udeshya Kr. Yadav
For the Opposite Party/s :	Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 27(b) (ii), 27(d), 28(A), 36AC, 18(B) (C), 65(17) of Drugs and Cosmetic Act.

3. As per FIR, police team raided at the medical shop of the petitioner and found several types of medicines i.e., capsules, tablets and syrup and some expired medicines. It is further alleged that the petitioner sold those medicines without valid license of the medical shop as the license of the petitioner had already been cancelled on 01.04.2021.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He had license of the medical shop but the same had expired on 06.08.2019. It is further submitted from para-10 of this petition that on 01.04.2021, license of petitioner has been canceled and he has deposited *challan* for retention of his license. He has not sold any illegal medicines. Moreover, he is languishing in judicial custody since 30.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with C.R. Case No. 02 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Madhubani.

(Sunil Kumar Panwar, J)

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