

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19111 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -MANJHI District- SARAN

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1. Subhan Kumar Rai @ Rahul Rai Son of Bal Krishna Rai, Resident of
Village- Tarabari Dewrha, P.S. Tava Bari, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kritya Nand Jha

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 31-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Manjhi
P.S. Case No. 30 of 2017 registered for the offence punishable
under Section 30 (G) of Bihar Narcotic Restriction & Excise Act,
2016.

Allegedly, acting on a tip off, the police made search
of a white colour Xylo vehicle which was being driven by the
petitioner and recovered 5-6 cartons in which 120 liters restricted
Corex cough syrup was found. No chit of paper has been shown
regarding the seized cough syrup.

Submission is of false implication. Nothing has been
recovered from the conscious possession of the petitioner. He has



got no criminal antecedent and due to village politics, he has been implicated in this false case. Petitioner is simply a driver of that vehicle and he has no concern with the recovered items. He is languishing in jail since 22.02.2017 and, as such he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the above named petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Manjhi P.S. Case No. 30 of 2017 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(S. Kumar, J)

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