

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18700 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -BIRPUR District- SUPAUL

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1. Gautam Singh @ Gautam Kumar, Son of Rameshwar Singh, resident of
Bishanpur, Shivram, P.S.- Balua Bazar, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 11-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Special
Case No. 02 of 2017 arising out of Birpur P.S. Case No. 12 of
2017 registered for the offences punishable under Sections 420,
120-B of the Indian Penal Code and Sections 38(I), 41 (I) of Bihar
Excise Act and Sections 22(a)/23 of N.D.P.S. Act.

Allegedly, from the Scorpio vehicle 12 kg. Nepali
Ganja and 1264 bottles each containing 300 ml. Nepali liquor
were recovered. The driver of the vehicle and the persons, sitting
in that vehicle, fled away. But the witnesses present there, named
the petitioner also.

Submission is of false implication and that petitioner
has not been arrested at the spot. Nothing has been recovered from



conscious possession of the petitioner and similarly situated co-accused Vikrant Viplav has been allowed bail vide order dated 08.04.2017 passed in Criminal Miscellaneous No. 14245 of 2017 by another co-ordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that co-accused Vikrant Viplav has been allowed bail.

In the facts and circumstances stated above, the above named petitioner is also 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 S.J., Supaul in connection with Special Case No. 02 of 2017 arising out of Birpur P.S. Case No. 12 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.

(Jitendra Mohan Sharma, J)

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