

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34516 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -JOGBANI District- ARRARIA

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1. Amit Kumar Sah Son of Anil Sah Resident of Netajee Chowk Ward No. 15, Police Station- Jogbani, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Special Case No.08 of 2017 corresponding to Jobgabni P.S.Case No.34 of 2017 dated 20.03.2017, registered for offences punishable under Sections 272 & 272 of the Indian Penal Code, Sections 30(g) and 38(i) of the Excise Act, Sections 63/64 of the Coy Right Act, Sections 27(b)(a) 28 read with Section 36 A.C. of the Drugs and Cosmetic Act and Section 20/22 of the N.D.P.S. Act.

Allegation against the petitioner, as per F.I.R., is that a huge quantity of prohibited drugs has been recovered from the house of the petitioner and the petitioner has confessed his guilt before the police.



Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case. As a matter of fact he had given his house on rent and the articles were of the renter. So far confession is concerned, his statement has been taken forcibly. The petitioner is in custody for more than four months. It has also been submitted that the another co-accused has been granted bail by this Court, vide order dated 07.07.2017 passed in Cr. Misc. No.28377 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Araria in connection with Special Case No.08 of 2017 corresponding to Jobgabni P.S.Case No.34 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, otherwise, his bail bond shall be



cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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