

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36518 of 2017

Arising Out of PS.Case No. -264 Year- 2017 Thana -PIRBAHOR District- PATNA

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Rahul Kumar Son of Shyam Narayan Gupta, Resident of Mohalla-
Langar Toli, P.S.- Kadam Kuan, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Union of India.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Subhash Kumar, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 28.05.2017 in connection with Special Case No. 75 of 2017 arising out of Pirbahore P.S. Case No. 264 of 2017 for the offences alleged under Sections 274, 275, 276, 284, 379, 413, 414, 420, 467, 468 of the Indian Penal Code and Sections 22(b), 23(b) of the Narcotic Drugs and Psychotropic Substances Act; Sections 36AC and 10A of the Essential Commodity Act and Sections 27(a) (c), (b), 11(d), 28(a), 30(a)(b)(c) of the Drugs and Cosmetic Act, 2008.

3. It is submitted that the petitioner has been falsely implicated merely because he happened to be employed as a water boy in the shop and he has no knowledge about the activities of the shop owner. Similarly situated accused persons, namely, Gautam Kumar @ Gautam Gupta and Ajay Kumar Gupta @ Ajay Gupta @ Ajay Kumar have been granted bail by this Court in Cr. Misc. No. 38343 of 2017 vide order dated 22.08.2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case , let the petitioner above named



be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned District & Sessions Judge, Patna in connection with Special Case No. 75 of 2017 arising out of Pirbahore P.S. Case No. 264 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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