

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45370 of 2017

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

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Manoj Kumar, S/o Late Raghunandan Lal, Resident of Mohalla- Chaili
Tand, P.S.- Alamganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad, Advocate
For the Opposite Party/s : Mr. Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **20-09-2017** Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 274,
275,276,284,379,406,413,414,419,420,467,468,471,120B of the
Indian Penal Code, 27,28,30 of the Drugs and Cosmetics Act, 7 of
the E.C. Act, 22, 23 of NDPS Act and 81 of the Vat Act.

The prosecution case arises out of the raid conducted
on the premises of Drug owners. The petitioner is arrested from
the said premises.

Counsel for the petitioner submits that he is innocent
and prior to the instant case there is no criminal antecedent of the
petitioner. He further submits that petitioner was only a labourer
working near the premises and that merely on suspicion he has
been arrested in this case. He also submits that he has no



knowledge about the illegal activity going on and charge-sheet has already been submitted in this case. Hence there is no chance of tampering of prosecution witnesses. Petitioner is in jail custody since 28.05.2017. The other co-accused on whose premises the raid was conducted has already been granted bail vide order dated 19.08.2017 passed in Cr. Misc. No. 37205 of 2017.

Considering the aforesaid facts and circumstances of the case and material on record, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in Pirbahore P.S. Case No. 264 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will



inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

- (iv) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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