

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51784 of 2017

Arising Out of PS.Case No. -448 Year- 2015 Thana -BARACHATTI District- GAYA

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Manoj Kumar Chauhan, son of Late Parashuram Singh, resident of 11-A, Saket Nagar, Hinoo, Doranda, P.O. and P.S. Doranda, District-Ranchi (Jharkhand) and, at present, posted as Intelligence Officer, Narcotics Control Bureau, Ministry of Home Affairs, Patna Zonal Unit, Sub-Zone-Ranchi (Jharkhand), PIN-834002.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-11-2017 Let the counter affidavit filed on behalf of the informant be kept on the record.

Heard learned Senior counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with Barachatty P.S. Case No.448 of 2015/G.R. Case No.1498 of 2015 registered under Sections 341, 323, 452, 386, 387, 380, 364, 509 and 504/34 of the Indian Penal Code.

The accusation is that in the evening of 06.10.2015, some persons knocked the door of the informant Kaushalya Devi and



when the informant opened the door, she saw some persons in civil dress and some persons in police dress. While the persons, who were outside the door, in police dress but the persons, who entered into her house, were in civil dress. The persons, who entered into the house of the informant, made query to the informant about her son Permanand. When the informant replied that her son is outside the house then they started to abuse and made demand of key of the Godrej Almirah, which was handed over to them by the daughter-in-law of the informant. Thereafter, all opened the lock of the Godrej Almirah and took away ornaments, pass-book, cash and other materials, as kept in Godrej Almirah. They also took away the Bolero vehicle of the informant, which was parked at the Garaj of the informant.

Learned Senior counsel appearing on behalf of the petitioner submits that, in fact, the Bolero vehicle, as detailed in the F.I.R. of the present case, which was being driven by Manga Singh, was apprehended and searched by the Narcotics Bureau Department. On search of the aforesaid vehicle, 3 kilograms opium was recovered. In that case, the petitioner, who is Intelligence Officer, Narcotics Control Bureau, was appointed as Investigating Officer, due to that reason, later on, the petitioner has falsely been implicated in this case.



Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghati (Gaya), in connection with Barachatty P.S. Case No.448 of 2015/G.R. Case No.1498 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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