

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7075 of 2017

Arising Out of PS.Case No. -363 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Baidya Chandardeo Prasad @ Baidya Ramchandar Sao @ Ramchandar Sao
Son of Late Pacchu Sao resident of village - Ahiyachak, P.S. - Katrisarai,
Dist - Nalanda. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Matloob Rab, APP-34

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

ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Giriyak (Katrisarai) P.S. Case No. 363 of 2016 registered for the
offences punishable under Sections 467, 468, 471, 420, 120B of
the Indian Penal Code, Section 66 of the I. T. Act, Sections 18
(C), 27 (C), 28 (A), 27(B) ii, 33 EEE (B), 33(1) of Drugs and
Cosmetic Act, 1940 and Sections 3, 4, 5, 7, 9(A) of Magic
Remedies Act, 1954.

At the very outset, it is submitted on behalf of the
petitioner that in this case similarly situated co-accused Baidya
Anil Kumar and Vaid Sailendra Prasad Sinha have been allowed
pre-arrest bail vide Cr. Misc. No. 4840 of 2017 and further Nand
Kishore Prasad has been allowed pre-arrest bail vide Cr. Misc.



No. 3169 of 2017 and further co-accused Ram Pravesh Prasad @ Baidya has been allowed pre-arrest bail vide Cr. Misc. No. 4439 of 2017. The petitioner is a registered Baidya and no person has come forward to say that the petitioner has cheated anyone, the petitioner has falsely been implicated in this case only on suspicion and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that other co-accused similarly situated have been allowed pre-arrest bail by another co-ordinate Benches of this Court, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak (Katrisarai) P.S. Case No. 363 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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