

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36418 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

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1. RAJESH KUMAR @ RAJESH KUMAR BHAGAT Son of Sakal Bhagat, R/o Village- Jagdish Kamataul, P.S.- Kudhani, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017

Heard the parties.

The petitioner is apprehending his arrest in connection with Kudhani P.S.Caase NO.60 of 2017 corresponding to G.R.No.309 of 2017, registered for offences punishable under Sections 147, 149, 341, 323, 354 and 506 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is of creating obstruction in the official duty of the Drug Inspector of Muzaffarpur, while he was inspecting the medical shops. The petitioner was also present there in the mob.

Submission of the learned counsel for the petitioner is that there is no allegation against the petitioner in the F.I.R. and he has been made accused on the basis of suspicion only as he was present there.



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, in the event of arrest or surrender before the court below within a period of four weeks, be released 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 Sri Nayan Kumar, J.M. Ist Class, Muzaffarpur in connection with Kudhani P.S.Case No.60 of 2017 corresponding to G.R.No.309 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be 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 investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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