

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7720 of 2017

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

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Babu Lal Mistri, S/o late Pokhan Mistri, Resident of Village- Jawaharchak,
Police Station- Katrisarai, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party : Mr. Mustaque Alam (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The 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 and Section 66 I.T. Act and Section 18 (A), (B), 18(C), 27(C), 28(A), 27(B) IInd, 33 EEC (B) 33(1) Drugs and Cosmetic Act, 1940 and Section 3, 4, 5,7, 9A Magic Remedies Act, 1954.

Allegedly, from the house of the petitioner wooden empty packets 500 pieces out of that 50 packets were filled up and wrapped with brown colour paper and further one saw fixed in the table for preparing the wooden packet were recovered.

Submission is of false implication and that no any



incriminating article has been recovered to attract the provisions of the aforesaid act, he was not indulged in any type of cheating, there is no allegation of any specific overt act against the petitioner and in this case other co-accused have been allowed pre-arrest bail. Nand Kishore Prasad has been allowed pre arrest bail vide Cr. Misc. No. 3169 of 2017 by order dated 03.02.2017 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioner in the event 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 furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional 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 in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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