

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4840 of 2017

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

=====

1. Baidya Anil Kumar Son of Raghunandan Garai
2. Vaid Sailendra Prasad Sinha @ Vaid Sailendra Prasad Son of Bhatu Garai Both Resident of Village- Ahiyachak, P.S.- Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Sri Satya Nand Shukla, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 Heard the parties.

This application has been filed in connection with Giriyak (Katrisarai) P.S. Case No. 363 of 2016 for the offence under Sections 467, 468, 471, 420, 120B of the Indian Penal Code, 66 of the I.T. Act, Sections 18(A), 18(B), 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.

It has been submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners and it is alleged that machine and money order has been recovered from the house of the petitioners but as a matter of fact petitioners have been falsely implicated in this case only due to the



suspicion. It is further submitted that other co-accused persons having similar allegation have already been granted bail by this Court vide Criminal Miscellaneous No. 4439 of 2017.

Heard learned A.P.P. also.

Having heard both sides. In view of the allegation and the fact that other co-accused persons have been enlarged on bail, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak (Katrisarai) P.S. Case No. 363 of 2016, 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 petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the



Police otherwise the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

Vats/-

U		T	
---	--	---	--

