

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9751 of 2018**

Arising Out of PS.Case No. -101 Year- 2017 Thana -TEKARI District- GAYA

=====

1. Rajesh Kumar, Son of Vijay Narayan Rajak, Resident of Village-  
Sikariyaa, Police Station- Tekari, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Smt. Nirmala Kumari

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
ORAL ORDER

02 19-02-2018

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in Tekari P.S. Case No.101  
of 2017 registered under Section 30 (a) & (b) of the Bihar  
Prohibition and Excise Act, 2016 and Section 20 (a) (b) of the  
N.D.P.S. Act.

Petitioner is said to have thrashed his wife in  
inebriated condition and was arrested along with 100 gm of Ganja  
and 250 ml of foreign liquor kept in the dicky of his motorcycle.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from the  
conscious physical possession of the petitioner. He has been  
falsely implicated in this case by the villagers by hatching



conspiracy and planting the aforesaid recovery in his motorcycle which was parked by him in his lane. He had neither thrashed his wife nor consumed liquor. He is a teetotaller. Seized ganja is small in quantity. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 17.03.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Gaya in connection with Tekari P.S. Case No.101 of 2017.

**(Prakash Chandra Jaiswal, J.)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

