

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64830 of 2018

Arising Out of PS. Case No.-75 Year-2015 Thana- AMBA District- Aurangabad

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Rajendra Lal @ Raju, S/o Hari Lal @ Harilal Das, Resident of Village-
Banasari P.S. Simaria District- Chhatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Amba P.S.Case No.75 of 2015 registered for offences punishable under Sections 414/34 of the Indian Penal Code, Section 8/15(C)/29 NDPS Act and Section 2(E)/3(8)/15/18 of Mahua Flower Act.

Allegation against the petitioner is about recovery of 27 kg. of Doda and 360 kg. of Mahua from two Pick Up Van. The petitioner is not named in the FIR and later on his name transpired as he is owner of one of the vehicle.

Submission of the learned counsel for the petitioner is that during the investigation, it has appeared that the articles were of another person. He has been made accused only because he is owner of one of the vehicle and he has no criminal antecedent. He is in custody for about four months.



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, be enlarged 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 the learned Sessions Judge cum Spl. Judge, NDP.S. Act, Aurangabad in connection with Amba P.S.case No.75 of 2015,G.R.Case No.04 of 2015.

With following conditions :

- (i) One of the bailors of the petitioner shall be a 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 disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

