

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65800 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- DARBHANGA GRP CASE District-
Darbhanga

-
1. Amit Kumar
 2. Rajesh Patel Both sons of Kamal Kishore Patel @ Kamal Kishore Singh R/o Village-Bhiganpura @ Bhikhanpura, Ward No.10, P.S. Sadar, Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-12-2018 Heard learned counsel for the parties.

Petitioners seek bail in **Darbhanga Rail P.S. Case No. 146 of 2018** registered for the offence punishable under Sections 328, 307, 379, 411/34 of the Indian Penal Code and Section 20/22 NDPS Act.

Informant who is a police officer has filed a written complaint alleging that one Md. Irshad @ Naushad was caught after he intoxicated one person and was taking away his belongings and after seeing police he tried to flee away but he was apprehended and he named the petitioners as their accomplice and from petitioner no. 1 Amit Kumar one Pudiya of intoxicating substance was seized and from petitioner no. 2 one



mobile was recovered.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case . Nothing has been recovered from the possession of the petitioners. Similarly, situated co-accused person Arvind Kumar @ Arvind Patel has been granted bail by a co-ordinate bench of this Court vide order dated 20.11.2018 and Criminal Miscellaneous No. 66873 of 2018. Petitioners are in custody since 11.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **1st Additional District & Sessions Judge, Darbhanga**, in connection with **Darbhanga Rail P.S. Case No. 146 of 2018 (G.O. Case No. 7/18)** with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.



(3) If the petitioners tampers with the evidence
or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(S. Kumar, J)

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