

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41244 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -CHAKIA District- EASTCHAMPARAN
(MOTIHARI)

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1. Sohan Kumar S/o Late Shankar Patel, R/o Vill.- Sripur Kabiaya, P.S.-
Jharokhar, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.48029 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -CHAKIA District- EASTCHAMPARAN
(MOTIHARI)

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1. Bhim Thakur, Son of Late Nathu Thakur, Resident of Village- Naya
Gaun, Police Station- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.41244 of 2018)

For the Petitioner/s : Smt. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

(In Cr.Misc. No.48029 of 2018)

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-09-2018

As both the abovementioned cases arise out of same
Police Station case number, they are clubbed together and are
being disposed of by this common order for the sake of
convenience.

The petitioners in both the above mentioned cases seek



bail in connection with N.D.P.S. Case No. 18 of 2018, arising out of Chakia P.S. Case No. 57 of 2018, registered for offences punishable under Sections 399, 402, 414 and 413 of the Indian Penal Code, Section 25(1-b)a, 26 and 35 of the Arms Act and Section 20, 22, 23, 24, 27 and 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985.

Allegation against the petitioner in Cr. Misc. 41244 of 2018, Sohan Kumar is that he was arrested in connection with another case and on his disclosure, police raided the house of Ayan Khan and found six persons there and the police recovered different country made pistols and cartridges and also recovered 2 kilograms of charas kept in bag. So far petitioner Bhim Thakur in Cr. Misc. No. 48029 of 2018 is concerned, there is allegation against him is of commission of theft of vehicle and also involved in dacoity.

It has been submitted on behalf of the petitioner Sohan Kumar is that nothing has been recovered from his possession and he has been made accused in this case only on the basis of suspicion and except that there is nothing against him and though he is an accused in two other cases but he is on bail in those cases.

So far petitioner Bhim Thakur in Cr. Misc. No. 48029 of 2018 is concerned, it has been submitted by learned counsel for



the petitioner that from his possession also, nothing has been recovered and he has falsely been made accused in this case. Further both the petitioners have been in judicial custody since 19.04.2018

Heard learned A.P.P. also.

Considering the aforementioned facts and circumstances, let the petitioners of both the above mentioned cases, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, East Champaran at Motihari, Gaya, in connection with N.D.P.S. Case No. 18 of 2018, arising out of Chakia P.S. Case No. 57 of 2018, 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 cooperate in the disposal of trial and make themselves available as and when required by the court



and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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