

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2577 of 2018

Arising Out of PS.Case No. -20 Year- 2014 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Rajeshwar Rai @ Rajesh Kumar son of Jay Mangal Rai, resident of village-
Sabalpur Nawal Tola, P.S.- Sonepur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Economic Offence Unit of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Swarup Prasad, Advocate

For the State : Mr. Panchanand Pandit, APP

For the Opposite Party No.2. : Mr. V.N.P.Sinha, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 04-04-2018 The petitioner has renewed his prayer for bail in connection with Economic Offence P.S. Case No.20 of 2014 corresponding to N.D.P.S. Special Case No. 27 of 2014 registered for the offences punishable under Sections 420, 414, 467, 468, 471 and 472 read with 34 of the Indian Penal Code and Sections 20(b)(ii)(C), 23 and 29 of the Narcotic Drugs and Psychotropic Substances Act. His application for grant of bail was earlier rejected in Cr.Misc. No.35101 of 2014.

It is submitted by the learned counsel for the appellant that due to delay in production of the witnesses and long detention of the accused persons co-accused Suresh Kumar @ Suresh Rai



has already been granted bail, whose application was rejected together with the petitioner on 22.09.2014 by this Court, has already been granted bail by this Court vide order dated 29.11.2007 passed in Cr.Misc. No.43283 of 2017. He also submitted that another co-accused Dharamveer Kumar Singh @ Babloo Singh has also been granted bail by a co-ordinate Bench of this Court vide order dated 07.02.2018 passed in Cr.Misc. No.53744 of 2017. He submitted that the case of the petitioner stands on identical footing to that of co-accused Suresh Kumar @ Suresh Rai and Dharamveer Kumar Singh @ Babloo Singh.

Mr. V.N.P.Sinha, learned Senior Advocate appearing on behalf of the Economic Offences Unit, opposed the application for grant of bail to the petitioner. However, he admits that two other co-accused have already been granted bail by this Court and the case of the petitioner stands on identical footing. He, however, submitted that by now out of thirteen witnesses, four have already been examined.

Considering the submissions made above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-1, Patna in connection with Economic Offence P.S. Case



No.20 of 2014 corresponding to N.D.P.S. Special Case No.27 of 2014 subject to the following conditions:-

- (a) the petitioner shall not influence the witnesses or tamper with any document;
- (b) at the time of furnishing the sureties, the petitioner shall furnish his address to the Court and shall not change his address till the final disposal of the case or till further orders in that regard;
- (c) the petitioner shall not leave the limits of India without prior permission of the trial court;
- (d) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
- (e) the petitioner shall not do any act prejudicial to the interest of the prosecution;
- (f) one of the sureties must be a Government servant/elected people's representative of Panchayat/Municipality and the other shall be a close relative; and
- (g) the petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move the Court for cancellation of bail.

(Ashwani Kumar Singh, J)

Md.S./-

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