

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35610 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- PALASI District- Araria

Manjay Kr. Bhagat @ Manjay Bhagat, son of Ramkishun Bhagat, resident of village& P.S. Palasi (Chahatpur), District-Araraia

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Sri Pawan Kumar Singh, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph-3 of the petition, apprehending his arrest in Palasi P.S. Case No.109 of 2018, registered for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

It has been argued by learned counsel for the petitioner that in this case, recovery of *cough syrup* was shown from an institutional building, known as Yuva Kushal Office, and petitioner has been arrayed as accused, as if he was caretaker of the building. It has been argued that the petitioner was only imparting education in the institution, but falsely it has



been alleged that petitioner was in-charge of premises in question.

Be that as it may, considering the clean antecedent of the petitioner as well as the fact that in this case, recovery of *cough syrup* has affected, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Manjay Kr. Bhagat @ Manjay Bhagat 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 learned 2nd Addl. Sessions Judge-cum-Special Judge (Excise), Araria in connection with Palasi P.S. Case No.109 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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