

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53626 of 2018

Arising Out of PS.Case No. -41 Year- 2018 Thana -KATIHAR (R.T) District- KATIHAR

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Dinesh Rai @ Chhedi, S/o Basudeo Rai @ Baso Rai @ Basuki Rai, resident
of Village- Dalan, Sohra Tola, Ward No. 1, P.S. Muffasil, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Adv.

For the Opposite Party/s : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Katihar Rail P.S. Case No.
41/2018 (N.D.P.S. P.S. Case No. 10/2018), registered for the
offences punishable under Sections 401, 414 and 34 of the Indian
Penal Code and section 20 and 22 of the N.D.P.S. Act and section
137 and 147 of Indian Railways Act.

Informant alleged that during patrolling duty, he along
with other police officials saw some people were talking at the
corner of platform in north side. After seeing the police party, all
the accused persons tried to flee away. Four persons including the
petitioner were apprehended. On search, 14 pcs. of Ativan Tablets,
blades etc. were recovered from possession of Dinesh Rai



(petitioner).

It has been submitted that petitioner has falsely been implicated in this case. Petitioner has been apprehended by the police on the basis suspicion.

Petitioner is in custody since 23.05.2018.

Considering the fact that petitioner has got criminal antecedent and involved in five cases of similar nature, I am not inclined to enlarge the petitioner above-named on bail at this stage.

If trial is not concluded within one year of custody, petitioner may renew his prayer for bail in court below and same shall be granted to petitioner after one year of custody period on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Katihar Rail P.S. Case No. 41/2018 (N.D.P.S. P.S. Case No. 10/2018) subject to the conditions:

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



every date fixed by the court.

(3.) If the petitioner 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 petitioner.

(S. Kumar, J)

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