

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22175 of 2018

Arising Out of PS. Case No.-95 Year-2017 Thana- MAHUA District- Vaishali

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Raj Kapur Kumar S/o Julum Sah R/o Village- Patepur, P.S. Kartaha, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody
since 12.04.2017 in connection with Mahua P.S. Case
No. 95 of 2017 for offences punishable under Sections
25(1-B)A, 26/35 of the Arms Act and Sections 8/20 (b)(ii)
(c) of the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on a secret tip off that some miscreants
have planned to commit crime, the police team
apprehended two persons including the petitioner and
from the possession of the petitioner two live cartridges
were recovered and in the mango garden two bags in
which 10.500 kg and 11 kg. of ganja respectively was



recovered. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, the cases lodged against him are against unknown and he has been falsely implicated in the aforesaid case because of highhandedness of the police officials. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. It is further submitted that one of the co-accused apprehended along with the petitioner has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 60262 of 2017 vide order dated 15.02.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Addl. Sessions Judge-1 cum Special Judge, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 95 of 2017, subject to the condition



that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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