

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76941 of 2018

Arising Out of PS. Case No.-335 Year-2017 Thana- BELAGANJ District-
Gaya

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Raju Sah son of Kail Sah, Resident of Mohalla- Bageshwari Road, Near
Railway Crossing, Police Station Kotwali, District Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Respondent

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate.

For the Respondent : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 419, 420, 379 of the Indian Penal Code and Sections 36AC, 27(b)II, 28, 28(A), 27(d), 27(c) of the Drugs and Cosmetics Act, 1940 and Amendment Act, 2008 registered in connection with Belaganj P.S. Case No. 335 of 2017.

3. It is submitted that the petitioner has been falsely implicated merely on the confessional statement of co-accused Ravindra Yadav, except which there is no other material to connect the petitioner with the alleged occurrence. No recovery of any incriminating articles has been made from the petitioner. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIth, Gaya in connection with Belaganj P.S. Case No. 335 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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