

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40910 of 2019

Arising Out of PS. Case No.-280 Year-2016 Thana- MUFFASIL District- West Champaran

BHARAT PATEL @ BHARAT BHUSHAN PATEL, aged about 26 years,
Male, S/o Tarkeshwar Prasad, R/o village- Chargaha, P.S.- Bettiah Muffasil,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-09-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 20/22/24/27/29(A) of NDPS Act, Section 47A and 53(C) of Bihar Prohibition and Excise Act and Sections 25(1-b)a/26/35 of the Arms Act.

The informant who is a police officer in his written complaint has stated that on secret information he reached the house of Prakash Patel on 16.06.2016 and as they surrounded his house, three persons fled away from the place but they could not be apprehended and on search being made of the residence of Prakash Patel, two more persons tried to flee away but they were apprehended who disclosed their name as Satish Sharma and Prakash Kumar Patel. From the residence of Prakash Patel,



arms, ammunition, 2 k.g. of *charas* and some liquor were seized. It was disclosed that three persons who fled away were Kunal Thakur, Sanjeev Patel and Gyasudhin Ansari. It has been further stated that three named accused who had managed to flee away from the place have already been granted bail as contained in Annexure 2 series. Name of the petitioner has surfaced in this case on the confessional statement of Satish Sharma. Petitioner is in custody since 18.07.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Trial No.26/2016 arising out of Bettiah Muffasil (Banuchhapar) P.S. Case No.280/2016, with following 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 and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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