

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46884 of 2019

Arising Out of P.S. Case No.-99 Year-2019 Thana- BETTIAH CITY District- West
Champaran

=====

Rahul Kumar Yadav, Gender-Male, aged about 28 years, Son of Deepak Yadav Resident of Village-Barauni, Phulparas, Police Station-Barauni, District-Begusarai, Presently residing at Mohalla-Nayatola, Zorabganj, Police Station-Korha, District-Katihar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar No -7, Advocate
For the Opposite Party : Mr. Kumar Veerendra Narayan, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-10-2019 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with Bettiah Town P.S.Case No.99 of 2019 registered for an offence under Section 414 of the Indian Penal Code as well as Sections 20, 22, 23, 24, 25 and 27A of the NDPS Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As alleged, a country made pistol and 500 grams of charas have been recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case merely on suspicion. It is further submitted that the prosecution has not complied with the mandatory provisions regarding search and seizure laid down under Section 100 of the Cr.P.C. It is further



submitted that similarly situated co-accused has already been granted regular bail by a coordinate Bench of this Court in Cr.Misc.No.37127 of 2019 dated 25.06.2019. Petitioner is in custody since 29.01.2019, chargesheet has already been submitted.

In view of the aforesaid facts, let the above named petitioner be released 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 Sessions Judge, Bettiah, West Champaran in connection with Bettiah Town P.S.Case No.99 of 2019 with following conditions:-

(i) Petitioner shall cooperate 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.

(ii) 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.

(Prabhat Kumar Singh, J)

B.Kr./-

U		T	
---	--	---	--

