

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.69634 of 2018**

Arising Out of PS. Case No.-233 Year-2018 Thana- PIRBAHOR District- Patna

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Ramesh Kumar Son of Late Bundela Prasad Sahni, R/o- 2nd Floor,  
Popular Palace, Near Kali Mandi, Machhua Toli, P.S.- Pirbahore, District-  
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ram Shankar Das,Adv  
For the Opposite Party/s : Mr.Suresh Prasad Singh,APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

3      07-01-2019      Heard learned counsel for the petitioner and learned APP for the  
State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 467, 468, 274, 275, 276, 120(B) IPC read with Section 27(c), 28/28(A), 27(b)(ii)/27 of the Drugs and Cosmetics Act, 2008 registered in connection with Pirbahore P.S. Case No. 233 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely on the extra judicial confessional statement of co-accused Md. Mustafa Hussain. It is submitted that the prosecution case based on FIR is wholly without jurisdiction as submitted before a co-ordinate Bench of this Court in Cr. Misc. No.1009 of 2018 (Amarjeet Kumar vs. The State of Bihar) (Annexure-3). The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 C.J.M. Patna, in connection with Pirbahore P.S. Case No. 233 of 2018, 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) That the petitioner shall co-operate 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.

Chandran/-

**(Vikash Jain, J)**

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