

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74907 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- KIUL RAIL P.S. District- Lakhisarai

RAJ KUMAR Son of Daroga Yadav @ Daroga Yadav Resident of Banshipur
(Mohan Kundi), Ward No. 5, P.S.- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. THE UNION OF INDIA THROUGH N.D.P.S. ACT INDIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner seeks bail in connection with Rail Kiul P.S.
Case No. 128 of 2019 registered for the offence punishable
under Sections 401, 414 of the Indian Penal Code and Section
21(A) of N.D.P.S. Act.

Petitioner is said to have been apprehended from near the
toilet of a sleeper bogie of a train and 30 tablets of
LORAZEPAM and I.P. Ativan were recovered from his
possession.

It is submitted by learned counsel for the petitioner that
the petitioner has been falsely implicated in this case by the
police during course of travelling on his failure to cough up
their demand of graft. The tablets seized from the possession of
the petitioner have been kept by him for the purpose of his use
as he is suffering from insomnia. There is no other allegation
attributed to the petitioner. Petitioner has no criminal antecedent



and has been languishing in custody since 14.07.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, 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 1st Addl. District & Sessions Judge cum Special Judge, Lakhisharai in connection with Rail Kiul P.S. Case No. 128 of 2019 subject to the following conditions:- (I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

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

