

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78581 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- PARSABAZAR District- Patna

Om Prakash Son of Basudeo Mahto @ Basudeo Chauhan Village - Atwarpur ,
renter of Kundan Singh, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Dubey

For the Opposite Party/s : Mr.Sri Binod Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 22-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Special Case No. 102 of 2018**
arising out of Paras Bazar P.S. Case No. 271 of 2018
registered for the offence punishable under Section 414 of the
Indian Penal Code, under Section 20, 22 and 29 of the N.D.P.S.
Act and under Section 25 (1-b)A, 26 and 35 of the Arms Act.

Informant who is a police officer has alleged in his
written complaint that on receipt of a confidential information
he along with other police personnel raided at the house of co-
accused Ganesh Kumar and apprehended petitioner and along
with FIR named accused persons and recovered Brown Sugar
and Ganja from the possession of other co-accused. It has been
further alleged that two mobiles, Aadhaar card and some cash
were recovered from the possession of the petitioner.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He has no concern with the recovery of Ganja and Brown Sugar. No incriminating material has been recovered from the possession of the petitioner. It has been further submitted that similarly placed co-accused, Dipu Kumar, has been granted bail by co-ordinate Bench of this Court vide order dated 18.02.2019 passed in Cr. Misc. No. 9637 of 2019. Petitioner has got no criminal antecedent and is in custody since 11.09.2018.

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 **Sessions Judge/ Special Judge, Patna**, in connection with **Special Case No. 102 of 2018 arising out of Paras Bazar P.S. Case No. 271 of 2018**, 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.

(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.



(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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