

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79209 of 2018

Arising Out of PS. Case No.-37 Year-2017 Thana- MUNGER MUFFASIL District- Munger

Rahul Anand @ Rahul Yadav @ Rahul Kumar Son of Yogendra Pd. Yadav,
Resident of Village/Muhalla - Sandalpur, P.S.- Kasim Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh
For the Opposite Party/s : Mr.Sri Nand Kishore Pd

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Muffasil P.S. Case No.37 of 2017 registered for the offence punishable under Sections 376/114 of the Indian Penal Code, under Sections 3, 4, 5 and 7 of the I.T.P. Act, under Sections 25(1-b)a/26(i)/35 of the Arms Act, under Sections 30(a), 37(a) (b) (c) (d) of the Bihar Prohibition & Excise Act, 2016 and under Section 8 of POCSO Act.

The prosecution case in short is that 6 litres wine along with one loaded country made rifle was recovered. The further prosecution is that the accused persons were involved in immoral trafficking.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has



further been submitted that co-accused Nitesh Yadav and Piyush Kumar whose names were disclosed by three girls, have already been granted bail as contained in Annexure-2 and 2/1. Petitioner is in custody since 31.08.2018.

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 Additional District & Sessions Judge I, Munger cum Special Judge, Excise Act and POCSO Act, Munger, in connection with Muffasil P.S. Case No.37 of 2017, 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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