

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8847 of 2020

Arising Out of PS. Case No.-132 Year-2018 Thana- SASARAM RAIL P.S. District- Gaya

RAJESH KUMAR SONI @ RAJESH SONI Son of Late Ram Bachan Seth
Resident of Village - Tar Bangala, P.S.- Thana More, Dehri, District - Rohtas.
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 08-07-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 20/22 of the N.D.P.S. Act and Section 147 of the Railway Act.

As per the prosecution case, on a tip-off when the informant raided Jammu Tavi Sialdah Express in general boggy the petitioner along with one of his associates are said to have been caught in suspicious activities and on enquiry they could not produce their ticket. From the possession of the petitioner 45 pieces of Atvan Tablets wrapped in paper, one cream biscuit, one knife and one blade was recovered.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general omnibus in nature. As a matter of fact, the petitioner is an illiterate and used to sell biscuit, toffee, etc. outside the platform near Sasaram Railway Station and the R.P.F. personnel makes demand of illegal amount from him and on refusal, the petitioner has been falsely implicated in this case. The petitioner has been languishing in custody since 28.11.2018.

On the other hand, learned APP for the State vehemently opposing the bail petition submitted that there are altogether nine criminal cases pending against the petitioner and this shows that petitioner is a habitual criminal, hence he does not deserve bail.

In the facts and circumstances of the case and considering the antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the petitioner may renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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