

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71233 of 2019

Arising Out of PS. Case No.-194 Year-2019 Thana- BARBIGHA District- Sheikhpura

PIYUSH KUMAR Son of Sanjiv Kumar @ Sanjeev Kumar Resident of
Village- Maur, Police Station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Barbigha P.S. Case No. 194 of 2019 registered under Sections 188, 120(B) of the Indian Penal Code and 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the name of the petitioner has been brought in this case after conducting a raid in the house of the petitioner when he is in jail and allegation has been made that his house was being used by the co-accused. Learned counsel submits that petitioner is in custody since 13.09.2019 .



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the name of the petitioner has been brought in this case after conducting a raid in the house of the petitioner when he is in jail and allegation has been made that his house was being used by the co-accused, even though the same had been sealed earlier in connection with the earlier cases and there is a conspiracy in this regard in which the petitioner is also involved, the submission being that the name of the petitioner has been brought in this case on mere suspicion because of his antecedent of similar nature and that the petitioner has been in custody in connection with this case since 13.09.2019, considering the criminal antecedent, the petitioner shall be released on bail on completion of six months of custody in the present case, furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District Judge, Sheikhpura, in connection with Barbigha P.S. Case No. 194



of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

Further condition that in case the petitioner is found involved in another case of similar nature, the Investigating Officer of the case shall take steps for cancellation of bail bond of the petitioner in the present case as well.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

