

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.105 of 2020

Arising Out of PS. Case No.-259 Year-2019 Thana- JOGBANI District- Araria

Md. Bhola Son of Md. Chotu @ Chote Miyan Resident of Village -
Khajurbari, P.S.- Jogbani, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Jogbani P.S.Case No.259 of 2019 instituted for the offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Sections 30(a) and 38(i) of the Bihar Prohibition and Excise
Act, 2016 and Section 27(b)(ii)/28 of R.W and 36 of the Drugs
& Cosmetic Act.

Submission is that recovery of drugs is alleged from
the house of co-accused Raja Kumar and the name of the
petitioner surfaced in the confessional statement of co-accused
Raja Kumar.

Petitioner has got identical criminal cases. He is in
custody since 20.11.2019.



Considering the nature of allegation and criminal antecedent of the petitioner, in my view, petitioner should be released on bail only after framing of the charge. Hence, the trial court is directed to frame the charge at the earliest.

After framing of the charges, let the petitioner be released on regular bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge--cum-Special Judge, Araria in connection with Jogbani P.S.Case No.259 of 2019 corresponding to Special Case No.1172 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner and also that the petitioner shall not leave the country without permission of the Court.

(Birendra Kumar, J)

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