

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54675 of 2021

Arising Out of PS. Case No.-199 Year-2021 Thana- RAJIVNAGAR District- Patna

Sanjay Kumar S/O Ramashray Yadav @ Ramashray Singh R/O Mohalla-
Gopalpur, P.S-Shakurabad, District-Jehanabad, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh,Adv

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Rajiv Nagar P.S.Case No.199 of 2021 registered for the offence under Sections 420 and 188 of the Indian Penal Code, Section 7 E.C.Act, Rule 3 of Oxygen Cylinder Rules, 2016, Section 9 B of the Explosives Act, Section 3 of the Pandemic Act.

As per the prosecution case, the petitioner along with other accused persons were indulged in black-marketing of oxygen gas cylinder.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in the present case police has falsely implicated in fact the petitioner who was the driver with co-accused-Prem Kumar and the petitioner has no concern with cylinder in question. He further submits that co-accused, namely, Shibbu Kumar has been granted bail vide order dated 07.01.2022 in Cr. Misc. No.53028 of 2021 by this Court and the petitioner is in custody since 11.05.2021.

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

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Rajiv Nagar P.S.Case No.199 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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