

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14388 of 2023

Arising Out of PS. Case No.-187 Year-2021 Thana- SHASTRINAGAR District- Patna

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ABDUL WAF@ @ DR. ABUL WAF@ @ ABUL WAF@ SON OF MD. LAL
BABU R/O VILLAGE- KHANPUR, P.S.- HATAUDI, DISTRICT-
MUZAFFARPUR, AT PRESENT MD. RAZA HOUSE, SHAKUR COLONY,
P.S.- SHASTRI NAGAR, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 417, 418, 419, 420 and 120B of the Indian Penal Code and Section 7 of Essential Commodities Act and Section 3 of Epidemic Disease Act, 1897 and Section 27(b)(ii) of the Drugs & Cosmetics Act, 2008.

Learned counsel for the petitioner submits that, earlier, the bail application of the petitioner was rejected by order dated 03.02.2022 in Cr. Misc. No. 51102 of 2021, thereafter, again, the bail application of the petitioner was rejected by order dated 14.09.2022 in Cr. Misc. No. 48017 of 2022.



Learned counsel for the petitioner next submits that while rejecting the bail application of the petitioner by order dated 14.09.2022 in Cr. Misc. No. 48017 of 2022, this Court had recorded that, for the present, the Court is not inclined to grant bail to the petitioner.

It is next submitted that the petitioner was arrested on the charge that he was indulging in black marketing of oxygen and was selling the jumbo oxygen cylinder with kit for Rs. 45,000/- from his house at Shakur Colony. It is next submitted that the bail of the petitioner was rejected by order dated 03.02.2022 in Cr. Misc. No. 51102 of 2021, a submission was made on behalf of the petitioner that the said oxygen cylinder he had purchased for his personal use.

It is further submitted that the petitioner is in custody since 14.05.2021.

Learned A.P.P. for the State opposes the bail application of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/successor court in connection with Shastrinagar P.S. Case No. 187 of 2021.

One of the bailor of the petitioner shall be Md. Sharif Alam alias Md. Sharfe Alam, brother-in-law of the petitioner.

(Satyavrat Verma, J)

HarshPandey/-

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