

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18054 of 2016**

Arising Out of PS.Case No. -534 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Mukesh Mahto @ Mukesh Kumar Son of Ganga Mahto, Resident of  
Village- Naulakha Maheshwara, P.S.- Naokothi, District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sanjay Kr.Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

2      18-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 8.10.2015  
in a case registered for the offences punishable under Section 414  
of the Indian Penal Code, sections 45 and 46 of Prisoners Act and  
section 22 of NDPS Act.

The prosecution case is that the Superintendent of  
Begusarai jail submitted a written report to the effect that on  
26.9.2015 between 1.30 to 3.35 P.M. the jail was raided under the  
leadership of Superintendent of Police and other senior police  
officers. During raid, one SIM of Vodafone along with Rs.3750/-,  
a golden chain from co accused Abhinandan Kumar, 10 grams  
ganja and a broken charger were seized from the room of  
Ashok Kumar Rai who was working as cook in the jail. It

is alleged that co accused Mithilesh Mishra, Sant Kumar Yadav and petitioner Mukesh Mahto used to assist Ashok in jail kitchen.

It is submitted by the learned counsel for the petitioner that the petitioner was accused in a case under section 304 B IPC and was in custody and admittedly no recovery was made from the petitioner but maliciously he has been roped in the present case.

Considering the fact that no recovery has been made from the petitioner, let the above named petitioner 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 1<sup>st</sup> Additional Sessions Judge cum Special Judge, NDPS Act, Begusarai in connection with Begusarai Town P.S. Case No. 534 of 2015.

**(Dinesh Kumar Singh, J)**

Anil/-

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