

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36791 of 2017

Arising Out of PS. Case No.-15 Year-2017 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Mukesh Singh @ Pappu Singh @ Pappu Son of Rajendra Prasad Singh, R/o
Village- Pateri Bhai Khan, P.S.- Belsar (O.P.) District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
17.01.2017 in connection with Sadar (Muzaffarpur) P.S. Case
No. 15 of 2017 registered for the offence punishable under
Sections 392, 395 and 412 of the Indian Penal Code and
Sections 20 and 22 of the N.D.P.S. Act.

The prosecution case, as lodged by the informant, is
that he along with driver, Ranbir Singh was going along with
the truck loaded with mustard oil. It was intercepted by two
persons, who forcibly compelled the informant and the driver to
take intoxicant and having taken the intoxicant, informant and
the driver became unconscious and thereafter the accused



persons fled away with the truck.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and bears no criminal antecedent. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. It is further submitted that nothing has been recovered from his conscious possession and the intoxicant was not found in his possession, but in the truck. He submits that one of the co-accused has been granted the privilege of bail by this Court in Cr. Misc. No. 34187 of 2017 on 01.09.2017 on similar allegations.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner was caught red handed with mustard oil loaded truck along with one Ranjit Singh.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District Judge-cum- Special Judge, Muzaffarpur in connection with Sadar (Muzaffarpur) P.S. Case



No. 15 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ Court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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

