

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32909 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -MUZFFARPUR GRP CASE District-
MUZAFFARPUR

=====

Surendra Ram @ Surendra Rai Son of Jang Bahadur Ram, Resident of
Village-Gamhariya, P.S.-Raxaul, District-East Champaran.

.... Petitioner

Versus

1. The State of Bihar
2. Union of India

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Adv.
For the State : Mr. Kalyan Shankar, A.P.P.
For the Union of India : Shail Kumari, C.G.C.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-08-2017 Heard learned counsel for the petitioner, learned
counsel for Union of India and learned APP for the State.

Petitioner seeks bail in connection with Muzaffarpur
Rail (N.D.P.S.) P.S. Case No. 30 of 2017 for offences punishable
under Sections 401, 414 of the Indian Penal Code and Section
8/22 of N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on platform no. 2 of railway station three persons
were apprehended and from their possession, intoxicant tablets
with other articles, pieces of blade, scissor, knife etc. were
recovered. From possession of the petitioner, 12 tablets,
intoxicating paste, mobile and cash were recovered. Accordingly,



seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that charge sheet has already been submitted and petitioner is languishing in judicial custody since 09.03.2017.

However, learned counsel appearing on behalf of Union of India submits that petitioner is a habitual offender and he is a member of *Nashakhurani Gang*, who gives intoxicants to the passengers and steals their belongings and as many as four cases of similar nature are pending against him.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of one year in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, Muzaffarpur, in connection with Muzaffarpur Rail (N.D.P.S.) P.S. Case No. 30 of 2017, subject to the condition that both bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the



concerned police station/ court, who will file affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

SHAHZAD/-

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

