

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40356 of 2018

Arising Out of P.S.Case No. -157 Year- 2017 Thana -SULTANGANJ District- PATNA

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Mukul @ Makbul S/o Late Abdul Khan Resident of Mohalla - Ambedkar Colony, P.S. Sultanganj, Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner is in custody in connection with Special Child Case No.39 of 2018 arising out of Sultanganj P.S.Case No.157 of 2017 pending in the Court of ADJ-I-cum-Special Judge, Children Court, Patna registered for an offence under Sections 401, 413, 414/34 of the IPC and Sections 20 and 22 of the NDPS Act.

The informant is the police officer, who on getting information conducted raid at the house of one Madina Khatoon and seized the incriminating materials including smack, mobile phones, silver ornaments and cash amounts besides other articles. The apprehended accused disclosed that this petitioner and others



were involved in committing theft and also in dealing with narcotic drugs. It further appears that this petitioner who has been declared juvenile by the Juvenile Justice Board is involved in two more cases bearing Bahadurpur P.S.Case No.138 of 2017 registered for the offence under Sections 324, 353, 401 and 414 of the IPC and Bahadurpur P.S.Case No.61 of 2017 registered for the offence under sections 47(C) of Bihar Prohibition & Excise Act. While rejecting the prayer of the petitioner, the learned Special Judge has observed that the petitioner has fallen in the association of known criminals. I find that the father of this petitioner has died and he is beyond the control of his mother. The petitioner appears to be associated with his brother-in-law and his family members from possession whom a smacks, ganja, mobile phones, laptop etc have been seized by police. The petitioner is named in two more cases of similar nature and his release would defeat the ends of justice as there is every chance of his return in the said known associates.

In the facts and circumstances of the case, the prayer for bail is rejected.

(Sanjay Kumar, J)

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