

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7471 of 2018

Arising Out of PS.Case No. -78 Year- 2017 Thana -MUZFFARPUR GRP CASE District-
MUZAFFARPUR

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1. Deepak Tiwari, Son of Late Sita Ram Tiwari, Resident of Mohalla- Garib
Asthan Brahaman Toli, P.S.- Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anjum Akhter

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Muzaffarpur Rail P.S. (NDPS) Case No. 78 of 2017 registered
under Sections 401, 414 of the Indian Penal Code and Section
8/22 of the NDPS Act.

Petitioner along with two other accused persons
namely, Md. Irshad and Amit Kumar were apprehended by the
police on foot over bridge of platform of Muzaffarpur Railway
Station. From possession of the petitioner, 12 tablets of Ativan
were seized and from possession of each of the rest co-accused
persons 6 tablets were seized.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He was not apprehended on the place of occurrence rather he was brought from his house to the Rail P.S. and police falsely implicated him in this case at the instance of his enemy. He has no criminal antecedent. He is languishing in judicial custody since 22.06.2017. Similarly situated co-accused namely, Md. Irshad has been enlarged on bail on 21.09.2017 passed in Cri. Mic. No. 43855 of 2017 by co-ordinate Bench of this Court.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Muzaffarpur Rail P.S. (NDPS) Case No. 78 of 2017.

(Prakash Chandra Jaiswal, J)

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