

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78775 of 2018

Arising Out of PS. Case No.-102 Year-2017 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

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Ajay Singh S/o Late Surya Narain Singh, Resident of Village- Talimpur, P.S.-
Madhuwan, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn
For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 13-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Rail P.S. (Muzaffarpur, Sub
Division – Samastipur) Case No. 102 of 2017 registered for the
offence punishable under Sections 414/34 of the Indian Penal
Code and Section 20/22 of the N.D.P.S. Act.

Informant is a Police Officer who has stated that after
receiving secret information that near Ticket Booking Hall of
Muzaffarpur Junction, some miscreants are assembled with a
view to snatch the articles of passengers by using intoxicant, he
along with police party reached there and started to search the
bag, attachi etc. of the passengers then, two persons seeing the
police party started to flee away but after chase one was
apprehended, who is the petitioner and another managed to



escape. On search, 32 piece of broken powder like intoxicated material was recovered from the possession of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has further been submitted that in fact the petitioner was coming from Delhi and when he was going outside the platform, the police caught him and remanded in this case. Petitioner is in custody since 27.07.2017.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that **after fanning of charges**, the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Muzaffarpur in connection with Rail P.S. (Muzaffarpur, Sub Division – Samastipur) Case No. 102 of 2017, Tr. No.12/2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial



and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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