

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31306 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- KATHAIYA District- Muzaffarpur

MUKUL SHUKLA @ MUKUL KUMAR SHUKLA Son of Sri Jay Prakash Shukla @ Jai Prakash Shukla Resident of Village - Bangari, P.S. Bruraj, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 399, 402 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act and Sections 8, 20 & 22 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act.



Allegedly, two live cartridges, arms & ammunitions & 250 gms of Charas is recovered in this case.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 20-06-2020. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. Two live cartridges and Arms & Ammunitions are said to have been recovered from possession of the other co-accused. 250 grams of Charas is also said to have been recovered from possession of co-accused Bipul Kumar. As per prosecution case, altogether five persons were seated in the car, in question. There is no recovery of any contraband substance from possession of the petitioner. For recovery of live cartridges, the petitioner has already remained in custody for more than five months. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds 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
Kathaiya P.S. Case No. 74 of 2020.

(Sudhir Singh, J)

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