

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15278 of 2021**

Arising Out of PS. Case No.-426 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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RAUSHAN KUMAR Son of Surendra Prasad Singh Resident of Village-
Raja Rampur, P.S.- Saraiya, District- Muzaffarpur. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-10-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 420, 467, 468 and 471/34 of
the Indian Penal Code and Section 20 & 22 of the N.D.P.S. Act.

150 gram of charas is said to have been recovered
from the right side pocket of the petitioner.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated by the police in this
case merely on suspicion. No incriminating article has been
recovered from his conscious physical possession rather the
same has been planted by the police to falsely implicate the
petitioner. The real fact is that only a mobile was recovered
from the possession of the petitioner. The allegation levelled



against the petitioner is not specific rather general and omnibus in nature. It is further submitted that similarly situated co-accused, namely, Vicky Kumar has been enlarged on bail by a co-ordinate bench of this court vide order dated 17.09.2021 passed in Cr. Misc. No.19134 of 2021. The petitioner has been languishing in custody since 04.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sadar P.S. Case No.426 of 2020, subject to the condition that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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