

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21581 of 2021**

Arising Out of PS. Case No.-442 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Arjun Ram S/O Surendra Ram, R/O Village-Kashi Chhapra, P.S Baruraj,
District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Mr.Arvind Kr. Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 420, 467, 468, 471,
120(B)/34 of the Indian Penal Code.

It has been alleged that mobile phone, ATM card,
Scooty and Charas like substance wrapped in a polythine were
recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that from perusal of the prosecution case, the petitioner has allegedly been implicated showing it that he was found in possession of mobile phone, ATM and Scooty in the seizure list although, story of prosecution reveals that the petitioner was in possession of 200 gm. of Charash like substance but he has not been shown in possession of those articles in the present seizure list rather another case has been registered for that as Sadar 443/2020. The ATM card and Scooty belong to the wife of the petitioner which is annexed at Annexure-2 of the bail application. The petitioner is languishing in judicial custody since 14.08.2020. The petitioner has got 02 criminal antecedents which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Muzaffarpur Sadar P.S. Case No. 442/2020 to the satisfaction of learned Court below where the case is



pending; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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