

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56087 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- MITHANPURA District- Muzaffarpur

Manoj Kumar, son of Lalji Prasad Gupta, resident of village- Mithanpura
Chowk, P.S. - Mithanpura, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Mithanpura P.S. Case No. 100 of 2021 registered for the alleged offences under Sections 120 (B) of the Indian Penal Code, Section 25 (1-B) a, 26/35 of the Arms Act & Sections 8/20 (b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act.

The allegation against the petitioner is that he was arrested with a loaded pistol and 1 kg of ganja along with other co-accused persons while making preparation for committing



murder of one Bablu Trivedi.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and nothing has been recovered from the person/possession of the petitioner and he has got no concern with the other co-accused persons. The petitioner is made an accused in 4 other cases of different nature, but he is on bail in all cases. The learned counsel further submits that the co-accused Manouwar Hussain has already been granted bail by a co-ordinate Bench of this Court vide order dated 19.05.2022 passed in Cr. Misc. No. 68407 of 2021 and the petitioner is in custody since 11.05.2021.

Learned APP has opposed the contention made on behalf of the petitioner, submitting that the petitioner was apprehended with a loaded pistol and 1 kg of ganja and is having criminal antecedent.

Having regard to the submissions made hereinabove and considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Muzaffarpur in connection with Mithanpura P.S. Case No. 100 of 2021, subject to the following



conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

