

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69040 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- BARAUNI RAIL P.S. District- Begusarai

RAM BILOK MAHTO @ BINOD MAHTO Son of Yogendra Mahto R/o
Village - Harauli Ismailpur, Ward No.- 2, P.S.- Hajipur Sadar, District -
Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barauni Rail P.S. Case No. 74 of 2021 for the offence registered
under Sections 414/34 of the Indian Penal Code and Sections
20/22 of the N.D.P.S. Act.

The informant along with other police personnel are stated
to have apprehended five persons who were trying to escape from
the platform of the Barauni railway station, whereafter search was
made and as far as the petitioner is concerned, a sum of Rs. 390/-
and two strips of Alprax 0.5 mg. tablet (Alprazolam composition)
was recovered.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing in
custody since 01.09.2021. The learned counsel for the petitioner
has further submitted that a bare perusal of the seizure list would



show that no such tablets have been recovered from the conscious possession of the petitioner so as to indicate his complicity in the matter. Nonetheless, it is submitted that the petitioner has already been suitably punished inasmuch as he is languishing in custody since about eight months.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein and the nature of allegation levelled against the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Begusarai in connection with Barauni P.S. Case No. 74 of 2021.

(Mohit Kumar Shah, J)

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