

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17405 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- RAIL JHAJHA District- Jamui

Muluk Raj Gond @ Mukul Raj Gond, Male, aged about 49 years, Son of
Jamuna Gond, R/O-Karja, P.O.-Umrawgang, P.S.-Behia, Distt.-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Sinha, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-06-2024 This matter has been listed under the heading “For
Orders (on office notes)”.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with Rail
Jhajha P.S. Case No. 298 of 2023 dated 30.12.2023 registered
for the offences punishable under Sections 8, 20(b)(ii)(c) of the
N.D.P.S. Act.

4. As per the prosecution case, the informant
apprehended the petitioner and recovered total 20 kgs Ganja
from his possession on the eastern side of the platform no.3 of
Jhajha Railway Station.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner and the alleged recovered 20 kgs., Ganja from the trolley bag and pithu bag does not belong to the petitioner and out of fear and pressure, the petitioner has confessed before the police. The petitioner was working as daily wager in Kolkatta and he had to return to his home town to see his ailing father. It is further submitted that main culprit of the alleged offence might be someone else as the information regarding the whereabouts of the alleged person, who is wearing as mentioned in the F.I.R., does not tally with the petitioner as he is a very simple and poor person. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 31.12.2023. The seized contraband is just a commercial quantity.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Sessions Judge, Jamui in connection with Rail Jhajha P.S. Case No. 298 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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