

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29000 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

=====

Goltu @ Md. Farhan @ Mohammad Farhan @ Goltu Kumar Son of
Mohammad Lal babu @ Laloo @ Lal Babu Resident of Mohalla- Ramraji
Road Buxy Colony, P.S.- Kazimohammadpur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Md Anis Akhtar

For the Opposite Party/s : Mr.Anant Kumar 1

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muzaffarpur GRP P.S. Case No. 320 of 2023 instituted for the
offences under Sections 401, 413, 414 of the Indian Penal Code
and Section 22(a) of the N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
17 Ativan tablets from other co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner was not apprehended on spot. The name
of the petitioner has come into light on the basis of confessional



statement of apprehended co-accused person, which has no evidentiary value in the eyes of law. The petitioner has got no concern with the alleged recovery. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has been remanded in this case from Rail P.S. Case No. 307 of 2023. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. Charge-sheet has been submitted in this case. The petitioner is in custody since 16.09.2023 and has five criminal antecedents in which he is all on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muzaffarpur GRP P.S. Case No. 320 of 2023, Subject to following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.



(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court will have liberty to cancel the bail bonds of the petitioner.

(iii) If the petitioner tampers with the evidence or with the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Arish/-

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

