

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46655 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

Vikram Kumar Singh @ Uikram Kumar Son Of Dablu Singh @ Mahesh
Singh Vill-Dharampur , Ward No 10 P.S -Mohiuddin Nagar Distt -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

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

ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mohiuddin Nagar P.S. case No. 1 of 2024 instituted for the
offences under Sections 399, 401, 402, 414 of the I.P.C., Section
25(1-b)a, 26, 35 of the Arms Act and 8/20(B)(ii)(A) of the
N.D.P.S. Act.

3. Prosecution case, in short, is that the co-accused
persons were apprehended with arms and ammunition. It is
further alleged that about 2 Kg. *ganja* was recovered from co-
accused Subodh Kumar.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case merely on the basis of confessional statement of the co-accused persons who were apprehended on the spot. Petitioner is in custody since 21.02.2024 and has nine criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by this Bench vide order dated 08.04.2024 passed in Cr. Misc. No. 24056 of 2024. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

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

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than commercial quantity as also 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 Mohiuddin Nagar



P.S. case No. 1 of 2024, subject to the 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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