

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57588 of 2024

Arising Out of PS. Case No.-1196 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Bablo Mahto @ Bablu Mahto, aged about 37 years, Male, S/O Late
Nageshwar Mahato, R/O Police Line, Kanhauli, Bmp-16, P.S- Mithanpura,
Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate

For the Opposite Party : Mr. Lakshmi Kant Sharma, A.P.P.

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. Case No. 09 of 2024 in Sadar P.S. Case No. 1196 of
2023 dated 03.12.2023 registered for the offences punishable
under Sections 411, 413, 414, 120B of the I.P.C. and Sections 8,
20(b)(ii)(B) of the N.D.P.S. Act.

3. As per the prosecution case, two master keys in T
shape, one pilaas, 120 gms. charas and one mobile were
recovered from the possession of the petitioner.

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



this case. It is submitted that the charge has already been framed in the present case against the petitioner and the other co-accused persons. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no concern with alleged offence. It is further submitted that the petitioner's father is a petty businessman and he runs his shop at Bhagwanpur Chowk, Muzaffarpur and in order to relieve him from the shop, the petitioner was going there by his Auto through Gobarsahi, in the meantime, police stopped the petitioner and told him to put his signature on the seizure list and on refusal, police has falsely implicated the petitioner in the present case. The other co-accused person, Vivek Gupta @ Raju has already been granted bail by a Bench of this Court vide Cr. Misc. No. 21518 of 2024 under order dated 19.06.2024, annexed as Annexure-2 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 04.12.2023.

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

6. 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 Exclusive Special Court-II, Muzaffarpur in connection with N.D.P.S. Case No. 09 of 2024, in Sadar P.S. Case No. 1196 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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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