

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64309 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- MANIYARI District- Muzaffarpur

RAJU KUMAR @ RAJOO SINGH @ RAJO SINGH @ RAJU SINGH SON
OF MAHESH SINGH VILLAGE- RAJA PAKAR, PS- RAJA PAKAR, DIST-
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
NDPS P.S. Case No. 110 of 2022 arising out of Maniyari P.S.
Cae No. 134/2022 registered on 05.05.2022 lodged under
Sections 25(1-b)a/26/35 of the Arms Act and 8(c), 21(b) of
NDPS Act.

3. As per the prosecution case, F.I.R. has been lodged
against three named accused persons including the petitioner
from whose possession two pistols one each, cartridges and
heroine has been recovered. Counsel for the petitioner submits
that 9.200 milligrams has been recovered.

4. Counsel further submits that petitioner is innocent



and has committed no offence. He further submits that petitioner is in custody since 12.09.2022 having 13 criminal case pending against him, in which he is on bail. Counsel for the petitioner submits that from the seizure list of the present case, it becomes crystal clear that the recovery has been made from the possession of two accused persons namely Randhir Kumar and Rajesh Kumar and nothing has been recovered from the petitioner's possession. The apprehended persons have disclosed the name of the petitioner.

5. Counsel further submits that he has been figured in this case only due to the instance of the police only due to the reason that antecedent of the petitioner is not clean.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean ,and therefore, at the time of granting bail, this aspect must be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge if not framed yet and on being satisfied by the trial Court that he is not absconding in any of the criminal cases pending against him which is mentioned below* and on furnishing bail bonds of



Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional and Sessions Judge, Muzaffarpur in connection with NDPS P.S. Case No. 110 of 2022 arising out of Maniyari P.S. Cae No. 134/2022, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.



- Sahebganj (MFP) P.S. Case No. 140/2015
- Sahebganj (MFP) P.S. Case No. 153/2015
- Mahua P.S. Case No. 326/2015
- C.C.S.T.R. P.S. Case No. 386/2017
- C.C.S.T.R. P.S. Case No. 3810/2013
- C.C.S.T.R. P.S. Case No. 1964/2015
- Rajpakar P.S. Case No. 03/2013
- Rajpakar P.S. Case No. 125/2017
- Sonapur P.S. Case No. 453/2019
- Parsa (Saran) P.S. Case No. 99/2015
- Garkha (Saran)P.S. Case No. 107/2019
- Sadar P.S. Case No. 82/2019
- Rajpakar P.S. Case No. 148/2013

(Dr. Anshuman, J)

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