

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33083 of 2025

Arising Out of PS. Case No.-328 Year-2023 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

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Arvind Kumar @ Chhotu Son of Harihar Mahto Resident of Village- Maripur
Ramraji Road Chitragupta Puri, Ward No.- 8, P.S.- Kazimohammadpur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, APP

For the Opposite Party/s : Mr. Ajay Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muzaffarpur Rail P.S. Case No. 328 of 2023/NDPS Case No.
177 of 2023 registered under Sections 307, 356, 379 and 411 of
the Indian Penal Code and Section 22(a) of the N.D.P.S. Act.

3. As per the prosecution case a general bogie of the
Maurya Express was searched and one person was apprehended
on hulla being raised by the passengers who disclosed his name
as Arvind Kumar @ Chhotu (petitioner) and on search, a VIVO
company mobile and eight pieces of Ativan tablets were
recovered from the conscious possession of the petitioner.

4. The learned counsel for the petitioner submits that



the petitioner has falsely been implicated in this case and no such recovery as has been shown in the FIR was made from the conscious possession of the petitioner. It has further been submitted that the allegation of injury caused to the informant is also superficial which could be ascertained from the fact that the injuries are found to be simple. It has lastly been submitted that the petitioner carries clean antecedent and has been in custody since 19.09.2023 in the present case.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions made by the learned counsel for the parties and taking into account the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No. II, NDPS, Muzaffarpur in connection with Muzaffarpur Rail P.S. Case No. 328 of 2023/NDPS Case No. 177 of 2023 subject to the conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the Court



below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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