

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33681 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- RATANPUR District- Supaul

Siken Mukhiya S/o Dev Narayan Mukhiya R/o Village- Narpatpatti, Ward No. 6, P.S.- Ratanpura, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with N.D.P.S. (Special) Case No. 30 of 2024 arising out of Ratanpura P.S. Case No. 27 of 2024 registered for the offences under Section 8/20(b)(ii)(c)/29 of the N.D.P.S. Act.

3. As per the prosecution case, on secret information that a consignment of narcotics substance was being smuggled from Nepal, an inspection team was formed and three persons were seen coming with bag on their head and on seeing the police, they tried to flee, however, the police chased and managed to catch hold one of the co-accused person who disclosed his name as Md. Rajmul. The apprehended accused person disclosed the name of the other co-accused persons who



managed to escape being Siken Mukhiya (petitioner) and one Manish Ram. It has also been disclosed by the apprehended persons that the goods were being delivered to one Dhalai Yadav. On search, total 21 kg of ganja was recovered from the possession of the said apprehended person.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no incriminating article was recovered from the conscious possession of the petitioner. Learned counsel has stated that the petitioner though has two criminal cases against his name but none of the cases are of similar nature. It has also been submitted that the co-accused persons, namely, Dhalai Yadav have been granted bail by a Co-ordinate Bench of this Hon'ble Court. It has further been submitted that the charge-sheet has already been submitted on 26.05.2024 and charges have also been framed. It has been lastly submitted that the petitioner is in custody since 02.11.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner has been named by the co-accused persons who was apprehended with 21 kg of ganja.

6. Considering the aforesaid submissions and the fact



that no incriminating article has been recovered from the conscious possession of the petitioner and similarly situated co-accused person, namely, Dhalai Yadav has been enlarged on bail, let the petitioner above-named be enlarged 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 the learned Additional District and Sessions Judge-IV, Supaul in connection with N.D.P.S. (Special) Case No. 30 of 2024 arising out of Ratanpura P.S. Case No. 27 of 2024 subject to the conditions :-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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 cancelled by the court concerned.

(iv) 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 afore-mentioned order shall not
be delayed for purpose of or in the name of
verification.

(Sourendra Pandey, J)

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