

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2544 of 2026

Arising Out of PS. Case No.-157 Year-2017 Thana- SULTANGANJ District- Patna

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Mukul @ Makbul @ Md Makbul Son of Late Abdul Khan @ Md Abdul
Resident Of Village- Ambedkar Colony, Abdulbari Bhawan Ps - Sultanganj,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Special Child Case No. 39 of 2018 arising out of Sultanganj P.S. Case No. 157 of 2017 registered for the offence punishable under Sections 401, 413, 414 and 34 of the Indian Penal Code and Sections 20 and 22 of the NDPS Act.

3. The case of the prosecution, in short, is that on secret information the house of one Madina Khatoon was seized and incriminating materials, including smack, mobile phones, silver ornaments and cash were recovered and the apprehended accused disclosed that this petitioner and others were involved in committing theft and also in dealing with the narcotic drugs.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that earlier the bail petition of this petitioner was twice rejected vide Cr. Misc. Nos. 40356 of 2018 and 58491 of 2018 by the learned coordinate bench of this court. He also submits that from perusal of the FIR, it is clear that the only allegation against the petitioner is that one Madina Khatoon has stated that he was involved in the offence of committing theft and also in dealing with the narcotic drugs. He also submits that nothing has been recovered from the possession of this petitioner. The bail petition of the petitioner was rejected only on the ground that the petitioner has been declared a juvenile by the Juvenile Justice Board (JJB), and he is involved in two more cases bearing Bahadurpur P.S. Case No. 138 of 2017 and Bahadurpur P.S. Case No. 61 of 2017, and the learned JJB has held that the petitioner has fallen in association with known criminals, as the father of the petitioner has died and he is beyond the control of his mother. He also submits that in this case, all other accused persons have been granted bail by the learned coordinate bench of this court vide Cr. Misc. Nos. 46850 of 2018, 49981 of 2017 and 2643 of 2018. He further



submits that save and except for the statement of Madina Khatoon, there is no cogent material against this petitioner. Madina Khatoon has already been granted bail by the learned coordinate bench of this court. Moreover, the petitioner is languishing in judicial custody since 08.10.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail with the condition that the petitioner shall cooperate in the trial and one of the bailor should be his near relative. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-I-cum-Special Judge, Children Court, Patna in connection with Special Child Case No. 39 of 2018 arising out of Sultanganj P.S. Case No. 157 of 2017.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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