

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21949 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- RUPASPUR District- Patna

PRINCE KUMAR Son of Sharwan Rai R/o village- Chitrasenpur, P.S.-
Sonepur, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 395, 397, 412 of the Indian Penal Code , 22 of the N.D.P.S. Act and 25(1-b)A, 26 and 35 of the Arms Act.

The prosecution case in short is that 30 gram smack, one country made pistol along with knife has been recovered in this case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.4.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case.



30 gram smack is alleged to have been recovered. No looted articles is alleged to have been recovered from the possession of the petitioner. One country made pistol along with a knife is alleged to have been recovered. No contraband is alleged to have been recovered from the conscious possession of the petitioner. The petitioner has remained in custody for about an year. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -III-cum- Special Judge, CBI-II, Patna in connection with Special Case No. 40/2018 arising out of Rupaspur P.S. Case No. 162 of 2018.

(Sudhir Singh, J)

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