

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10654 of 2020

Arising Out of PS. Case No.-123 Year-2019 Thana- DARPA District- East Champaran

ABHIMANYU KUMAR @ ABHIMANU KUMAR Son of Ram Prasad
Yadav @ Ram Prasad Ray Resident of Village - Sripur, P.S.- Chhaudradaon,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-02-2020

Heard both sides.

The petitioner seeks bail in N.D.P.S. Case No. 80 of 2019, arising out of Darpa P.S. case No. 123 of 2019, registered under Section 399, 402, 412/34 of the Indian Penal Code, u/s 25(1-b)a/ 26/35 of the Arms Act and u/s 8, 20(b) (ii) (8) of the NDPS Act.

The informant alleged that on 29.11.2019, on secret information that many criminals had assembled with arms and ammunition to commit some cognizable offence, raided the place and apprehended the petitioner and other accused persons. From the right pocket of pant of the petitioner two live cartridges were recovered. One carbon mobile was also recovered from the possession of the petitioner. Arms and ammunitions were also recovered from the possession of other accused persons. From the possession of Himanshu Kumar 500 gm. Charas was recovered.

The learned counsel for the petitioner submits that



save and except two live cartridges nothing has been recovered from the possession of the petitioner. The petitioner is in custody since 01.12.2019. The petitioner has already remained in jail for about three months and he has got no criminal antecedent.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that only two live cartridges and one Carbon mobile were recovered from the possession of the petitioner and for that the petitioner has already remained in jail for about three months, the petitioner, above named is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge/ Sessions Judge, East Champaran, Motihari in connection with N.D.P.S. Case No. 80 of 2019, arising out of Darpa P.S. case No. 123 of 2019.

(Prabhat Kumar Jha, J)

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