

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30177 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

Nitesh Kumar @ Chhotu, Male, aged about 28 years, Son of Shri Radhika Raman Singh @ Radhe Singh, Resident of Village- Ganespur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary, Advocate
For the State : Mr.Ajay Kumar-2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2020 Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 23 of 2020 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code, Sections 25(1-b)a/26/35 of the Arms Act and Sections 20, 22 of the N.D.P.S. Act.

On a secret information, the police informant reached



at the spot and apprehended Nitesh Kumar @ Chhotu (petitioner), Saurav Kumar @ Raja, Sumit Kumar, Roshan Kumar, Rabindra Kumar and Niraj Kumar. From the possession of Sumit Kumar, one country made pistol along with three cartridges and 500 grams charas, from the possession of Vicky Kumar, one loaded country made pistol and one live cartridge, from the possession of Saurv Kumar @ Raja, one loaded country made pistol, from possession of Roshan Kumar, two live cartridges and from the possession of petitioner, one country made katta and one live cartridge were recovered from them.

Learned counsel for the petitioner submits that no any contraband article has been recovered from possession of the petitioner and petitioner is in jail custody since 05.01.2020. He further submits that the petitioner has been falsely implicated in the present case.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge NDPS Act, Muzaffarpur in



connection with Ahiyapur P.S. Case No. 23 of 2020.

(Anjani Kumar Sharan, J)

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