

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15009 of 2021

Arising Out of PS. Case No.-249 Year-2020 Thana- DIGHA District- Patna

SATENDRA KUMAR @ SATENDRA KUMAR RAI S/o- Late Sant Rai @
Sant Lal, R/v- Makhdumpur, Gate No. 90, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Madhurilata, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 268, 269, 270 of the Indian
Penal Code and Sections 20/22 of the N.D.P.S. Act.

It is alleged that as per FIR, one Manish Kumar has
been arrested on the spot who was found in possession of 44 gm
of Brown Sugar and on enquiry being made by the police he
disclosed the name of the petitioner as an owner of the seized
Brown Sugar and he is selling the Brown Sugar for Rs.1000/-
per day to be paid by the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner was neither arrested
on the spot nor any contraband articles have been recovered



from the conscious possession of the petitioner. The police has recovered 44 gm Brown Sugar from the conscious possession of one co-accused, namely, Manish Kumar and he disclosed the name of the petitioner thereafter, the police made accused in this case. The petitioner is languishing in judicial custody since 29.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, there is no contraband articles has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Special Case No. 66A/2020/Special Case No. 151/2020 arising out of Digha P.S. Case No. 249/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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