

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18811 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- CHIRAIYA District- East Champaran

Vijay Kumar S/O Ugra Narayan Singh Alias Ugnarayan Singh Resident Of
Village Parsauni, Ps-Patahi, District-East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 414 and other ancillary sections of the Indian Penal Code, sections 25/26/35 of the Arms Act and section 220/22 of the NDPS Act.

As per the prosecution case, on the secret information that some miscreants have assembled with weapons to commit crime, police conducted a raid and arrested thirteen accused persons including the petitioner with stolen motorcycles and 1.866 kilograms of Charas etc.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner rather the said charas has been recovered from the possession of co-accused Ranjeet



Kumar and petitioner was simply sitting on the back seat of the motorcycle of other co-accused. Petitioner has claimed clean antecedent and he is in custody since 18.11.2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that No incriminating material has been recovered from the conscious possession of the petitioner and he bears clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge cum Special Judge Motihari East Champaran in NDPS case no. 64 of 2020/Chiraiya Police Station Case No. 303 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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