

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36013 of 2021

Arising Out of PS. Case No.-131 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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AMIT KUMAR @ AMIT S/o Munna Prasad Sah R/o Purani Gudari, Chhoti
Nazar, P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection
with Sadar P.S. case No.131 of 2020 registered under Sections 20/22
of the N.D.P.S. Act.

Prosecution case, in short, is that 9 pouches smack is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case. It is alleged that 9
pouches smack is said to have been recovered from two co-accused.



The quantity of the recovered smack has not been indicated by the prosecution. The name of the petitioner has transpired in this case on the disclosure made by co-accused. There is no recovery of smack from the conscious possession of the petitioner. The petitioner has been made accused due to previous enmity with the co-accused.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Muzaffarpur in connection with Sadar P.S. case No.131/2020, N.D.P.S. case No.13/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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