

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33983 of 2020**

Arising Out of PS. Case No.-74 Year-2020 Thana- KATHAIYA District-
Muzaffarpur

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Vishal Kumar @ Vishal Kumar Patel Son of Shri Ramesh Patel @ Ramesh Ray Resident of Village- Bishunpur Saraiya, P.S.- Deoriya, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Ms. Vaishnavi Singh, Advocate

For the State : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-01-2021

Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 20.06.2020 in connection with Kathaiya P.S. Case No. 74 of 2020, N.D.P.S. Case No. 50 of 2020 for the offences alleged under Sections 399, 402 of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8, 20, 22 of the N.D.P.S. Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of arms and



ammunition as well as narcotic substance from the accused persons. It is submitted that the arms and 250 grams of charas have been recovered from other co-accused persons whereas only a mobile phone has been recovered from the possession of the petitioner who claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 20.06.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned 4th Additional Sessions Judge cum Special Judge NDPS, Muzaffarpur, in connection with Kathaiya P.S. Case No. 74 of 2020, N.D.P.S. Case No. 50 of 2020, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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