

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4770 of 2021**

Arising Out of PS. Case No.-344 Year-2020 Thana- NAWANAGAR District- Buxar

BRAJESH KUMAR, SON OF MAHESH YADAV @ MAHESH SINGH,
Resident of Village - Piriya, P.S.- Dumraon, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-04-2021 Heard learned counsel for the petitioner and learned

APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 20(b) (ii) (c) and 22(b) of the Narcotics and Psychotropic Substances Act read with Section 25(1-b)a, 26 & 35 of the Arms Act.

It is alleged that there is recovery of Ganja, Arms and ammunition from the possession of the petitioner which is carrying by Bolero vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per allegation nothing



contraband articles has been recovered from the possession of the petitioner. The half kg. Ganga is recovered from the Bolero vehicle and the petitioner is co-passenger of the said vehicle. There is contraband articles is less than commercial quantity. The petitioner is languishing in judicial custody since 28.09.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 19.03.2021 passed in Cr. Misc. No.4203/2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, 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 N.D.P.S. Case No. 38/2020 arising out of Nawanagar P.S. Case No.344/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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