

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7665 of 2021**

Arising Out of PS. Case No.-387 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

ABHISHEK KUMAR S/o BAIDHANATH MAHTO RESIDENT OF
VILLAGE - BAJIDPUR MAJHAULI, P.S BOCHAHAN, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.

For the Opposite Party/s : Mrs.Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 22-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Ahiyapur P.S.
Case No.387 of 2020 corresponding to N.D.P.S. Case No.25/20
registered for the offence punishable under Sections 414, 34 of
the Indian Penal Code and section 20, 22 of N.D.P.S. Act.

As per the allegation made in the F.I.R., while on
checking duty, on suspicion, three persons were stopped by the



police officials and from each one of them one kg ganja was recovered. Accordingly, seizure list was prepared.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has been falsely implicated in this case. No such occurrence as alleged ever took place. It is submitted that petitioner is a student who has been arrested merely on suspicion and no incriminating article has been recovered from his conscious physical possession. Similarly situated co-accused namely Md. Alim Ansari and Ratnesh Kumar have been granted bail vide Cr.Misc. No. 25317 of 2020 and Cr. Misc. No.25359 of 2020 by co-ordinate Benches of this court. The petitioner has no criminal antecedent and has been languishing in custody since 01.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 8th Addl. Sessions Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No.387 of 2020 corresponding to N.D.P.S. Case No.25/20, subject to the condition that the petitioner shall not indulge himself in any similar offence till conclusion of the



trial, failing which, his bail bond shall be liable to be cancelled
by the learned court concerned.

(Anjani Kumar Sharan, J)

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