

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12213 of 2022

Arising Out of PS. Case No.-579 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

SATWIK KHADKA S/o Late Ghanshyam Khadka Resident of Village-
Hathiwan, P.S.- Hathiwan, District- Lalitpur (Nepal).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-06-2022 Heard learned counsel for the petitioner and A.P.P.

for the State.

The petitioner seeks regular bail in connection with
Muzaffarpur Town P.S. Case No. 579 of 2020 lodged under
Section 413/34 of the Indian Penal Code and Sections 8/20/22
of the N.D.P.S Act.

As per the prosecution case, a raid was conducted
on the secret information at the house of Surendra Prasad
which was given on rent to Gaurav Kumar. Recovery of 166
gms *Charas* was made from the possession of Prabhash
Sharma and recovery of 750 gms and 760 gms along with Rs.
14 lakhs, ornaments and mobile phones were recovered from
the room of Gaurav Kumar. Learned counsel for the



petitioner submits that no N.D.P.S. material was recovered from the conscious possession of the present petitioner. He was found in possession of certain mobile etc. He also submits that petitioner is in custody since 21.09.2020. Charge-sheet has already been filed in this case. He further submits that prior to lodging the present case, petitioner has got no criminal antecedent but after lodging of the present case, the petitioner has been remanded in one case namely, Chakiya P.S. Case No.325 of 2020.

Learned APP for the State opposes the prayer for bail.

In the facts and circumstances that no narcotic substance recovered from conscious possession of the petitioner and alleged recovery of 166 grams *Charas* has been made from the possession of co-accused Prabhash Sharma and from the rented house of Gaurav Kumar. Upon considering the fact that petitioner is in custody since 21.09.2020, charge sheet filed and co-accused has been granted bail vide order dated 18.01.2022 passed in Cr. Misc. No. 21094 of 2021, let the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like



amount each to the satisfaction of learned Additional and Sessions Judge-I, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 579 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr. P.C.

(Dr. Anshuman, J)

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