

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16496 of 2022

Arising Out of PS. Case No.-1066 Year-2021 Thana- PHULWARISHARIF District- Patna

KANHAIYA KUMAR S/o Sri Munna Chauhan R/o village- Birla Colony,
Khalilpura, P.S.- Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23048 of 2022

Arising Out of PS. Case No.-1066 Year-2021 Thana- PHULWARISHARIF District- Patna

GOLU KUMAR, Son of Sanjay Sharma R/o village - Sabajpura, P.S.-
Phulwari Sharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16496 of 2022)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Anita Kumari

(In CRIMINAL MISCELLANEOUS No. 23048 of 2022)

For the Petitioner/s : Mr.Munna Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-07-2022 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned

APP for the State in both the Cr. Misc. applications and disposed

of by this common order.



The petitioners in both Cr. Misc. petition have preferred this application for grant of regular bail in a case registered under sections 20/21(b), 22 and 27 of the N.D.P.S. Act.

As per prosecution case, a total quantity of 2.50 grams brown sugar in ten puriya was recovered from the possession of the petitioners.

Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioner in Cr. Misc. No.16496 of 2022 has clean antecedent as stated at para 3 of the bail petition and the petitioner in Cr. Misc. No. 23048 of 2022 carries one criminal antecedent in connection with Phulwarisharif P.S. Case NO. 43 of 2020. Learned counsel for the petitioners has further submitted that the said recovery of brown sugar is of less than commercial quantity. The petitioners are in custody since 08.12.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances, the petitioners in both Cr. Misc. petition, above-named, are



directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Patna, in connection with Phulwarisharif P.S. Case No. 1066 of 2021 arising out of Special Case No. 207 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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