

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36863 of 2021

Arising Out of PS. Case No.-732 Year-2020 Thana- SARAIYA District- Muzaffarpur

SANDEEP SINGH @ SANDEEP KUMAR SINGH S/O PHULGEN SINGH
RESIDENT OF VILLAGE PHANDA, P.S-PARU, DISTRICT-
MUZAFFARPUR, BIHAR Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pratima Kumari, Advocate

For the Opposite Party/s : Mr. Anant Kumar no. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 28-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 414 and 34 of the Indian Penal Code and sections 20 and 22 of the Narcotic Drugs and Psychotropic Substance Act.

As per the prosecution case, 500 grams of opium is said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. He is in custody since 13.11.2020 and investigation in the case has concluded with submission of charge sheet.

The application for bail is opposed by learned APP for the State who submits that the petitioner has several antecedents



which has been mentioned in paragraph no. 3 of the petition.

It is further submitted by learned APP for the State that a further show cause has been filed on behalf of the Investigating Officer of the case, online on 25.3.2022. However, as the copy of the same is not on record the original copy of the same is accepted in Court and taken on record.

Having heard learned APP for the State and on going through the contents of the show cause filed today, the same is accepted. It further transpires from the FSL report that the result of the FSL examination is that opium could not be detected in the contents sent for forensic examination.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the contents of the FSL report and the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Saraiya P.S. Case no. 732 of 2020 on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Muzaffarpur.

(Partha Sarthy, J)

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