

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36931 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- CHHATAUNI District- East Champaran

SATYAM KUMAR S/O PANKAJ KUMAR R/O MOHALLA-SPORTS
CLUB ROAD, P.S-CHHATAUNI, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399, 402 and 414 of the Indian Penal Code, sections 8 and 20(b)(ii)(c) of the NDPS Act, 1985 and sections 25(1-B)(a), 26 and 35 of the Arms Act .

As per the prosecution case, on a raid being conducted it is stated that 1.25 kg charas was recovered from the motorcycle of the accused Suraj Mahto. It is further stated that the other named accused persons including Prem Kumar, Aman Kumar and the petitioner herein worked with the said Suraj Mahto.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. Referring to the seizure list enclosed with the FIR, it is submitted that so far as the petitioner is concerned, a live cartridge is said to have been recovered from his possession. He is in custody since 8.2.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the contents of the seizure list and the petitioner having remained in custody for about 11 months, the petitioner is directed to be enlarged on bail in connection with N.D.P.S. Case no. 13 of 2021 (arising out of Chhatauni P.S. Case no. 40/2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge / Special Judge, East Champaran at Motihari.

(Partha Sarthy, J)

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