

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38401 of 2021**

Arising Out of PS. Case No.-92 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

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ARUN KUMAR Son of Yogendra Rai Resident of Village- Bhagwatipur, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr. Md. Mustaque Alam

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 20-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Ahiyapur Police Station Case No. 92 of 2021, registered for the
offences punishable under Sections 20/22 of the Narcotic Drugs
and Psychotropic Substances Act, 1985 and Sections 25 (1-b)
a/26/35 of the Arms Act.

The prosecution case, as per the First Information
Report, is that the police got information that some accused
persons have assembled in the house of the petitioner, who is
also an accused in Ahiyapur P.S. Case No. 87 of 2021,
proceeded towards his house and arrested the petitioner and
other accused persons. From the possession of the petitioner a
country made pistol and four live cartridges were recovered and



from the possession of other accused persons ½ Kg Charas and ½ Kg Ganja and fire arms were recovered.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely because he was an accused in Ahiyapur P.S. Case No. 87 of 2021. He further submits that Charas and Ganja to the extent of ½ Kg recovered from other accused persons are not of commercial quantity, petitioner is in custody since 07.02.2021, having no criminal antecedent of similar nature of offence.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, nature of allegation, the fact that petitioner is in custody since 07/02/2021, no narcotic drugs/psychotropic substance has been recovered from the possession of the petitioner and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS, Muzaffarpur, in connection with



Ahiyapur Police Station Case No. 92 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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