

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39645 of 2021

Arising Out of PS. Case No.-190 Year-2018 Thana- KOTWALI District- Patna

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SAGAR YADAV @ SAGAR KUMAR S/o- Sunil Yadav R/O- Nirankar
Morcha Road (Nirankar Bhawan, Morcha Road), P.S.- Chowk, Distt. - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nityanand Kumar, Adv.
For the Informant	:	Mr. Rajesh Kumar, Adv.
For the State	:	Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-01-2022 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 18, 22 and 23 of the N.D.P.S. Act and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, 500 gms of charas, a loaded pistol and a live cartridge was recovered from the possession of the accused Piyush Kumar. It is stated that the said Piyush Kumar took the name of this petitioner as a friend and accomplice with whom he gave effect two occurrences.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the



petitioner's possession nor was the petitioner arrested at the spot. His name transpired on the statement of the accused Piyush Kumar who has himself been enlarged on bail vide order dated 2.7.2019 passed in Cr. Misc. no.40379 of 2019. The petitioner is in custody since 30.6.2020.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 1 year 6 months, the Court directs the petitioner to be enlarged on bail in connection with Kotwali P.S. Case no.190 of 2018 (Special Case no.155 of 2018) 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 Additional Sessions Judge VI, Patna.

(Partha Sarthy, J)

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