

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42747 of 2021

Arising Out of PS. Case No.-515 Year-2020 Thana- KANKARBAG District- Patna

Vikash Kumar @ John S/O Late Jitendra Mahto Resident of Raja Pakar, P.S.
Raja Pakar, District Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-01-2022 Heard learned counsel for the petitioner and Shri Shailendra Kumar, learned A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in connection with Kankarbagh P.S. Case No. 515 of 2020 instituted for the offences under Sections 399, 400, 401, 402, 412, 414 and 120(B) of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act giving rise to Special Case No. 106 of 2020.

Learned counsel for the petitioner submits that the petitioner is in custody since 22.07.2020 and has one criminal antecedent as mentioned in paragraph '3' of the bail application under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that



allegation is of recovery of 10 kg *ganja*, 7 live cartridges and golden locket weighing 0.80 grams from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, nothing was recovered from his possession and even assuming that what has been alleged in the F.I.R. is true, still the recovery of *ganja* is less than the commercial quantity.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 22.07.2020, charge-sheet has been submitted in the case and alleged recovered *ganja* is less than commercial quantity, let the petitioner above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J., XVII, Patna in connection with Kankarbagh P.S. Case No. 515 of 2020 with a condition that one of the bailors shall be the cousin brother of the petitioner namely, Vinod Kumar. The petitioner will continue marking his attendance in the concerned Police Station in between 5-10 of every month commencing from February, 2022 till framing of charges. In the event, if it is



reported by the concerned Police Station to the learned court below that the petitioner in between the aforesaid dates in any of the month before framing of charges has not marked his attendance, the court below will forthwith cancel his bail bonds.

(Satyavrat Verma, J)

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