

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37588 of 2022

Arising Out of PS. Case No.-488 Year-2021 Thana- PATNA CITY CHOWK District- Patna

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RAMESH KUMAR SON OF ARJUN RAUT @ SANJAY RAUT R/O
VILLAGE- MOGALPURA, TIKIYA TOLI RENTER IN THE HOUSE OF
DR. JAINARAYAN PRASAD P.S.- KHAJEKALAN, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2022 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in a case registered u/s 8(c) and 21(b) of the

N.D.P.S. Act and 25(1-b)(a), 26 and 35 of the Arms Act.

As per the prosecution case, the police heard the

sound of gunfire and when they reached the place of occurrence,

they found an injured person lying on the ground. The

shopkeepers near the place of occurrence told that 2-3

miscreants shot the victim and robbed his bag. On chase one



miscreant was apprehended and the other miscreant succeeded in fleeing away. On being asked, the apprehended miscreant disclosed his name as Ramesh Kumar (petitioner) and on search, two country-made katta, two empty cartridges, one live cartridge and 42 puriyas of smack like substance weighing 11.82 gm were recovered from the possession of the petitioner. The petitioner also disclosed the name of other co-accused person as Vicky Kumar who fled away.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The seized contraband is less than commercial quantity. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.12.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Patna in connection with Patna City Chowk P.S.

Case No. 488 of 2021, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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