

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48830 of 2021**

Arising Out of PS. Case No.-167 Year-2021 Thana- GAIGHAT District- Muzaffarpur

VISHAL KUMAR Son of Sunni Rai Resident of Village - Mohammadpur
Sura, P.S.- Gaighat, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
NDPS Case No. 39 of 2021 arising out of Gaighat P.S. Case No.
167 of 2021 instituted for the offences under Sections 399, 402,
414/34 of the Indian Penal Code read with Sections 25(1-b)a,
26, 35 of the Arms Act and Sections 8, 20 and 22 of the Narcotic
Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.04.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of one knife, one key of old
Hero Motorcycle, two live cartridges and one black coloured



Pulsar Motorcycle from possession of the petitioner as far as recovery of narcotic is concerned i.e. from co-accused Sadanand Kumar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and cartridge without gun is useless which amply show that the petitioner has been falsely implicated and further the Pulsar Motorcycle does not belong to the petitioner.

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, is a person with clean antecedent and charge-sheet has been submitted in this case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Muzaffarpur in connection with NDPS Case No. 39 of 2021 arising out of Gaighat P.S. Case No. 167 of 2021.

(Satyavrat Verma, J)

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