

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49773 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- KATRA District- Muzaffarpur

AKHILESH KUMAR Son of Ramji Sah Resident of village - Dhanaur, P.S.-
Katra, District- Muzaffarpur, State- Bihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 13-12-2022 Let the defect(s), as pointed out by the office be removed within a period of four weeks from today and a hard copy of the original main petition be filed within the aforesaid period.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with NDPS Case No. 96 of 2022 arising out of Katra P.S. Case No. 104 of 2022 registered for the offences punishable under Sections 25(1-b)a, 26 of the Arms Act and Sections 8/20(b)(ii)(A) NDPS Act.

As per the prosecution case, from possession of petitioner one loaded pistol, a live cartridge and 563 Gram Ganja were recovered and he could not produce any legal documents in this regard.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and there is no



compliance of Section 50 of NDPS Act and he is in judicial custody since 24.03.2022. He has three criminal antecedents in which he is on bail.

Learned counsel for the State strongly opposed the prayer of bail of the petitioner and submits that petitioner is a habitual offender of similar nature who was involved in crime on release on bail in previous cases.

Considering the aforesaid facts and circumstances, at this stage, the Court is not inclined to enlarge the petitioner on bail. The prayer for bail is rejected. However, it is observed that the petitioner may renew his prayer for bail after six months if trial of this case is not concluded.

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(Sunil Dutta Mishra, J)

