

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61255 of 2021

Arising Out of PS. Case No.-102 Year-2021 Thana- MUSAHARI District- Muzaffarpur

RAJU KUMAR S/O DIWARI SAH R/o village- Bariarpur, P.S.- Kanti,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-03-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

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

The petitioner seeks bail in a case registered for the
offences punishable under Sections 399 and 402 of the Indian Penal
Code read with Sections 25(1-b)a, 26, 35 of the Arms Act and
Sections 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 14.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of a mobile and a motorcycle
from the petitioner while drugs is alleged to have been recovered
from co-accused Niraj Kumar.

Learned counsel for the petitioner submits that from



perusal of the allegation as alleged in the FIR, it would manifest that it records that from petitioner a yellow colour polythene bag was recovered in which some narcotic like substance was kept. Learned counsel further draws the attention of the Court to the later part of the FIR that from this petitioner one motorcycle along with a mobile is only alleged to have been recovered. Learned counsel further draws the attention of the Court to the seizure list at page 18 of the bail application and from perusal of the same, it would manifest that the alleged narcotic is alleged to have been seized from Niraj Kumar.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner but is not able to meet the submissions of the learned counsel for the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, 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 Court below where the case is pending in connection with N.D.P.S. Case No. 67 of 2001 arising out of Musahari P.S. Case No. 102 of 2021.

(Satyavrat Verma, J)

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