

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62996 of 2021**

Arising Out of PS. Case No.-136 Year-2021 Thana- KARJA District- Muzaffarpur

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SUNNY KUMAR @ SUNNI KUMAR S/o Ashok Kumar Rai @ Pramod Rai
Resident of Village- Haripur, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Namrata Mishra

For the Opposite Party/s : Mr.Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 31-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 414 and 34 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 20(b)(ii)(B) and 22(b) of the NDPS Act.

As per the prosecution case, a loaded country made pistol and 10 gms of smack was recovered from the possession of the petitioner while 9 gms of smack was recovered from the possession of the co-accused Manoj Kumar.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from possession of the petitioner. He has been falsely implicated in the case. It is submitted that the petitioner has no criminal



antecedent under the NDPS Act. He is in custody since 12.6.2021 and chargesheet has been submitted in the case. It is lastly submitted that co-accused Manoj Kumar has been enlarged on bail vide order dated 25.8.2021 (Annexure-2) by the learned court below itself.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, grant of bail to co-accused Manoj Kumar, the petitioner having remained in custody for more than 7 months and not having any criminal antecedent under the NDPS Act, the petitioner is directed to be enlarged on bail in connection with N.D.P.S. P.S. Case no. 65 of 2021 (arising out of Karja P.S. Case no. 136 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge V, Muzaffarpur.

(Partha Sarthy, J)

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