

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64274 of 2021**

Arising Out of PS. Case No.-131 Year-2021 Thana- KANTI District- Muzaffarpur

SANTOSH KUMAR S/O BHAG NARAYAN SHAHI R/o village and P.S.-
Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar, APP

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

3 20-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399, 400 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 20 and 22 of the NDPS Act.

As per the prosecution case, on receiving information about the accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted and six accused persons including the petitioner herein were caught. It is stated that 250 gms of charas, country-made pistol and live cartridges etc were recovered from possession of other three accused persons. No incriminating article was recovered from possession of this petitioner.

It is submitted by learned counsel for the petitioner



that the petitioner is in custody since 23.2.202. No incriminating article has been recovered from his possession He was arrested under a misunderstanding. He has no criminal antecedent and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, no incriminating article having been recovered from possession of the petitioner who is in custody since 23.2.2021, has no criminal antecedent and investigation in the case has concluded, the petitioner is directed to be enlarged on bail in connection with NDPS Case no. 16 of 2021 (arising out of Kanti P.S. Case no. 131 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 Additional Sessions Judge V, Muzaffarpur.

(Partha Sarthy, J)

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