

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70449 of 2021

Arising Out of PS. Case No.-206 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

MD. WASIM S/o Md. Usman R/o village - Salempur, P.S.- Ahiyapur, Distt.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 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 414/34 of the Indian Penal Code
read with Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections
20 and 22 of the NDPS Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.08.2021, charge-sheet has been
submitted and is a person with clean antecedent.

The informant alleges that police chased and apprehended
the looted pick-up van from which four named accused persons who
tried to flee but were apprehended and from the petitioner one mobile
was recovered. It is alleged that 5 Kg. Ganja was also recovered from
the pick-up van.



Learned counsel for the petitioner submits that as far as the petitioner is concerned, the allegation against him is of recovery of a mobile and as far as arms and ammunitions are concerned, it is from other accused persons and Ganja was recovered from the pick-up van and, as such, it cannot be alleged that it was the petitioner who was carrying the Ganja nor there is such allegation in the FIR. It is further submitted that the alleged recovery is a little more than small quantity but much less than commercial quantity.

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 since 09.08.2021, charge-sheet has been submitted and is a person with clean antecedent and it is the first offence of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bochahan (Bochaha) P.S. Case No. 206 of 2021 (NDPS Case No. 110 of 2021), subject to the condition that one of the bailors of the petitioner shall be the father (Md. Usman).

(Satyavrat Verma, J)

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