

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1538 of 2022

Arising Out of PS. Case No.-560 Year-2021 Thana- KANTI District- Muzaffarpur

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MOHAMMAD ASHU KHAN @ MD. AASHU KHAN Son of Mohammad Salim Khan @ Salim Khan Resident of Village - Sain Brijlal (Sain Chapra Devanand), P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Kanti P.S. Case No. 560 of 2021 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code read with Sections 25(1-B)a, 26 and 35 of the Arms Act and Sections 8(c), 21(b), 22(c) of the N.D.P.S Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 02.09.2021, charge-sheet has been submitted in the case and is a person with clean antecedent and allegation is of recovery of one loaded country made pistol from possession of the petitioner, the learned counsel submits that as far as recovery of Smack and arms is concerned, the same is



from other accused persons. It is thus submitted that no narcotic was seized from the possession of the petitioner.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 02.09.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and no narcotic was recovered from him, 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 the learned court below where the case is pending/successor court in connection with Kanti P.S. Case No. 560 of 2021.

(Satyavrat Verma, J)

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