

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3424 of 2023

Arising Out of PS. Case No.-1026 Year-2021 Thana- NAGAR District- Vaishali

RAKESH KUMAR Son of Ramnath Paswan R/V- Hathsarganj, Naka No. 3,
P.S- Hajipur Town Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c), 20(b)(ii), 23(b) & 29 of the N.D.P.S. Act.

The prosecution story, in brief, is that the police party reached at Jadhua after getting secret information and apprehended the accused persons including the petitioner. Upon search, one loaded country made pistol along with live cartridge was recovered from possession of petitioner and total 20.895 kg ganja like substance was recovered from possession other co-accused persons.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner has no concern with the narcotic substance and the same was recovered from possession of other co-accused persons and he has falsely been implicated in this case by police. It is further submitted that the one loaded country made pistol was recovered from possession of this petitioner and in respect of this, a separate case has also been lodged against him. Moreover, similarly situated co-accused namely, Sanjay Paswan has already been granted bail by a co-ordinate Bench of this Court vide order 3.1.20223 passed in Cr. Misc. No. 61619 of 2022 and in support of this Annexure-2 has been annexed with this petition. The petitioner is languishing in judicial custody since 24.1.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Town P.S. Case No. 1026 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-I, Vaishali at
Hajipur.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

