

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7964 of 2023

Arising Out of PS. Case No.-351 Year-2022 Thana- BIRPUR District- Supaul

SHARWAN MUKHIYA@SHRAWAN KUMAR S/o Shiv Narayan Mukhiya
R/o village- Samda (Sahewan), ward no.-06, P.S.- Ratanpura, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 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 21(b), 22(b) of the N.D.P.S. Act.

As per prosecution case, while the informant along with police party was on patrolling duty, they arrested the accused persons including the petitioner. On search, total 179 gm brown sugar/contraband has been recovered from co-accused Krishna Kumar and one mobile phone recovered from possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no



concern with the alleged recovery of contraband and the same was recovered from co-accused person whereas, only one mobile was recovered from possession of this petitioner which belongs to him. It is further submitted that the petitioner is languishing in judicial custody since 3.11.2022.

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 Birpur (Bhimnagar O.P.) P.S. Case No. 351 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S., Supaul.

(Sunil Kumar Panwar, J)

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