

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7156 of 2023

Arising Out of PS. Case No.-866 Year-2022 Thana- DANAPUR District- Patna

UTKARSH KUMAR S/o Amarnath Mahto R/o Village- Sultanpur Keyari
Tola (Koyari Tola), P.S.- Danapur, Distt- Patna. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Danapur P.S. Case No. 866 of 2022 dated 20.08.2022 registered
for the offence(s) punishable under Section(s) 399, 402, 201 and
120(B) of the Indian Penal Code, Sections 25(1-b)a, 26/35 of
Arms Act and Section 21(a) of N.D.P.S. Act.

As per the prosecution, police personnel on secret
information raided the alleged hotel and apprehended this
petitioner with other accused persons and upon search,
recovered 1.11 gram of contraband suspected to be 'Brown
Sugar' from the possession of this petitioner. Further it is
alleged that a country-made pistol with a live cartridge and
some contrabands were also recovered from the possession of
other accused persons.

The main submissions advanced by the learned



counsel for the petitioner are that as per the seizure list attached to the FIR, only 1.11 gram narcotic material suspected to be 'Brown Sugar' is alleged to have been recovered from the possession of this petitioner and the said contraband comes in the purview of small quantity and against the petitioner, there is criminal antecedent of one case which was lodged under the offences of Arms Act in which the petitioner is on bail and in the present matter, the petitioner has been languishing in jail since 20.08.2022.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly the quantity of the alleged contraband, which is said to have been recovered from the possession of this petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Danapur P.S. Case No. 866 of 2022.

(Shailendra Singh, J)

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