

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16692 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- KHAGARIA RAIL P.S. District-
Khagaria

Rajesh Choudhari Son Of Late Ram Charitra Choudhari R/O Village-
Binodpur Ward No.12, P.S.- Singhaul, District- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 401, 414 of the Indian Penal Code and Section 22(B) of the N.D.P.S. Act and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, prosecution case relates to recovery of total 45 pieces of Alprazolam tablet of Alprax 0.5 mg total weighing about 0.0225 gram from possession of the 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 co-accused persons or with the alleged recovery of such prohibited tables which are also not come



purview of narcotic substance. It is further submitted that the seizure list witness are police official not a single independent witness which violates the provision of Cr.P.C. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 26.9.2022.

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 Khagaria P.S. Case No. 144 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 Special Judge cum-Addl. Sessions Judge-III, Khagaria.

(Sunil Kumar Panwar, J)

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