

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33589 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Bhola Kumar Son Of Sahdev Singh Resident Of Village- Baghi Adharpur,
Police Station- Samastipur (Muffasil), District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-06-2023 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 399, 402, 411, 413, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8/20(a)(1) of the NDPS Act.

As per FIR, the accused persons including this petitioner were apprehended on the spot and from possession of this petitioner two mobile phones and from possession of co-accused persons 100 gm ganja like substance and one country made pistol were recovered.



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 and except two mobile phones nothing incriminating article has been recovered from his conscious possession rather one country made pistol and 100 gm ganja like substance were recovered from co-accused persons and the recovered ganja like substance does not come within the commercial quantity. It is further submitted that the petitioner is languishing in judicial custody since 29.01.2023.

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 Samastipur (M) P.S. Case No. 121 of 2023 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, Samastipur.

(Sunil Kumar Panwar, J)

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