

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38828 of 2023

Arising Out of PS. Case No.-42 Year-2008 Thana- RAJAOLI District- Nawada

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KHADHDHARI SINGH @ KHADAGDHARI SINGH @ KHARGDHARI
SINGH @ KHARAKDHARI SINGH @ KHADHADHARI SINGH S/O
LATE JAGESHWAR SINGH R/O VILLAGE. JAMUNDAHA, PS.
RAJAULI,, DIST. NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Adv

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 26-07-2023 This application for regular bail arises out of Rajauli

P.S. Case No. 42 of 2008 disclosing offences punishable under

Sections 147, 148, 149,186, 353307, 379, 411, 120B of the IPC,

Section 25(1-b)a/26/35 of the Arms Act, Section 17 of C.L.A

Act and Section 20/22 of the NDPS Act.

The petitioner is in custody since 21.05.2020. His
prayer for regular bail was thrice rejected by this Court vide
order dated 17.12.2020 passed in Criminal Miscellaneous No.
33144 of 2020, order dated 27.10.2021 passed in Criminal
Miscellaneous No. 52649 of 2021 and order dated 29.06.2022
passed in Criminal Miscellaneous No. 24386 of 2022.

Learned counsel for the petitioner appearing on behalf



of the petitioner has submitted that it would be evident from the seizure list that no contraband article was recovered from the possession of the petitioner though it is alleged that huge quantity of *Kattha* (5 Quintals) was found in the house of the petitioner but even that was not seized as according to the seizure list, the entire *Kattha* got destroyed in the process of effecting seizure.

Considering the fact that the petitioner is in custody since 21.05.2020, and it is not the prosecution's case that any contraband article was recovered from his possession, this application is allowed.

Let the petitioner, above-named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount, each to the satisfaction of the learned Additional District and Sessions Judge 1st cum Special Judge, Nawada in Rajauli P.S. Case No. 42 of 2008.

(Chakradhari Sharan Singh, J)

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