

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48555 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- KANHAULI District- Sitamarhi

CHANDAN KUMAR @ CHANDAN SAH Son of Laxmi Sah Resident of
village - Sangram Fandah, Riga, P.s. - Riga, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 8/20(B)(ii) (A) of the NDPS Act and Section 25(1-b)a,26,35 of the Arms Act.

3. Prosecution case relates to recovery of one kilogram ganja like substance, one country made pistol and two live cartridges from the motorcycle and petitioner and co-accused Vishal Singh both were apprehended on spot after chase.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The said recovery has been made from possession of co-accused Vishal



Singh and not from the petitioner. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 28.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Kanhauli P.S. Case No. 198 of 2022.

(Sunil Kumar Panwar, J)

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