

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37208 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- GAYA MUFASIL District- Gaya

DEEPAK KUMAR @ JHOTA Son of Raj Kumar Gupta Resident of Mohalla
- Manpur, Kurmi Tola, P.S. - Muffasil, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 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 section 399, 402 of the I.P.C., sections 8, 20(b)(ii)(A), 8(C), 21(a) of the N.D.P.S. Act and Sections 25(a-b)a, 26, 35 of Arms Act.

The prosecution case, in brief, is that the informant along with police personnel arrested the accused persons and recovered arms, live cartridges and contraband substance. Two live cartridges are said to recovered from possession of the petitioner Accordingly, the seizure list has been prepared.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Only two carriages are said



to have recovered from possession of the petitioner but he has not concerned with arms or narcotic substance which was seized by the police. Moreover, similarly situated co-accused namely, Rohit Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dt. 5.7.2023 passed in Cr. Misc. No. 37244 of 2023. The petitioner is languishing in judicial custody since 2.3.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muffasil P.S. Case No. 253 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, N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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