

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44401 of 2023**

Arising Out of PS. Case No.-149 Year-2023 Thana- SAKRA District- Muzaffarpur

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NITESH KUMAR @ NITISH KUMAR SON OF MR. YUGESHWAR RAY
RESIDENT OF VILLAGE- POJHIYA, PS- LALGANJ, DIST- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv
	:	Mr. Ritwik Thakur, Adv
	:	Mrs. Vashnavi Singh, Adv
For the Opposite Party/s :	:	Mr. Arun Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 02-08-2023
1. Learned counsel for the petitioner is permitted to make necessary correction in paragraph-3 of the bail petition in course of the day.
 2. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 3. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 4. The petitioner has preferred this application for grant of regular bail in connection with Sakra P.S. Case No. 149



of 2023 dated 21.03.2023 registered for the offences punishable u/ss 8, 20(b)(ii)(B) of the N.D.P.S. Act and Sections 25(1-b)a, 26, 35 of the Arms Act.

5. As per the prosecution case, one country made katta with one live cartridge, two mobile phones with different SIM cards and 8.5 Kg *Ganja* like substance were recovered from the possession of the petitioner.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. The seized contraband is not of commercial quantity. The petitioner is accused in two other criminal cases which are not similar in nature, as stated in para 3 of the bail petition. The petitioner is in custody since 22.03.2023.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Sakra P.S. Case No.



149 of 2023.

9. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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