

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47001 of 2023

Arising Out of PS. Case No.-225 Year-2022 Thana- MITHANPURA District- Muzaffarpur

AMAN KUMAR @ AMAN KUMAR SINGH, aged about 25 years (Male)
SON OF SATYA PRAKASH RESIDENT OF VILLAGE - LADAURA, PS
-GAIGHAT (OP BENIBAD) DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 01-08-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Mithanpura P.S. Case No. 225 of 2022 dated 16.07.2022 registered for the offence(s) punishable under Section(s) 399, 402, 216(A), 120(B) of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of Arms Act and Sections 8(c), 21(b) of N.D.P.S. Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of firearms and smack like narcotic material from the possession of accused persons including the petitioner and as per allegation one loaded pistol and 9 grams of smack like



narcotic material are stated to have been recovered from the possession of this petitioner and the said contraband comes in the purview of intermediate quantity and another co-accused Prafulla Kumar @ Kanhaiya, from whose possession same type of narcotic material and one live cartridge were allegedly recovered, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.61885 of 2022 and petitioner's case is completely identical to the said co-accused. Further submissions are that against the petitioner there is criminal antecedent of one case in which he is on bail and he has been languishing in jail since 16.07.2022 and against him, the investigation has been completed and the recovery of the alleged contraband was made before police personnel and there is no independent witness of the said recovery.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner's custody period as well as the circumstances pointed out by the petitioner's counsel which go in petitioner's favour, this court is inclined to accept his bail prayer. Accordingly, let the petitioner named-above be enlarged on bail in connection with Mithanpura P.S. Case No. 225 of



2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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