

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.48719 of 2023**

Arising Out of PS. Case No.-313 Year-2023 Thana- AHYAPUR District- Muzaffarpur

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AMIT KUMAR SON OF LATE JAI NARAYAN SAH @ LATE JAY  
NARAYAN SAH RESIDENT OV VILLAGE - GANG BAZAR,  
MUSTAFAGANJ, P.S. - MINAPUR, DISTRICT - MUZAFFARPUR, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Binod Kumar

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

ORAL ORDER

- 2      08-08-2023                      1. 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.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Ahiyapur P.S. Case No. 313 of 2023 dated 15.03.2023 registered for the offences punishable u/s 25(1-b)a, 26, 35 of the Arms Act and Section 8(c), 21(b) of the N.D.P.S. Act.
4. As per the prosecution case, 5.28 gms of smack like substance was recovered from the possession of the petitioner.
5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The recovered contraband is not of commercial quantity. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.03.2023. The co-accused person has been granted bail by the co-ordinate Bench of this Court vide order dated 05.07.2023 passed in Cr. Misc. No. 35856 of 2023.

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

7. 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 Ahiyapur P.S. Case No. 313 of 2023.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

Alok Verma/-

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