

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50813 of 2023

Arising Out of PS. Case No.-67 Year-2021 Thana- MANJHAGARH District- Gopalganj

Jumman Alam S/O Baharan Sah @ Baharan Shah R/O Village- Bhojpurwa,
Ps. Manjhagarh, Dist. Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Ajit 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.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-b)a, 26(i), 35 of the Arms Act and Sections 8/20(b)(ii)(b), 29 of NDPS Act.

As per allegation in the FIR, 259 gram charas like substance and a country made pistol with cartridge from pant of the petitioner were recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation



of provision of Section 50 of the NDPS Act. Quantity of seized contraband item comes below the commercial quantity. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 1.11.2021 passed in Cr. Misc. No. 43478 of 2021. Petitioner is languishing in judicial custody since 25.02.2021.

Learned APP appearing for the State has opposed the prayer of 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 enlarged on bail 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 1st Additional Sessions Judge-cum-Special Judge, NDPS, Gopalganj in connection with Manjhagarh P.S. Case No. 67 of 2021.

(Sunil Kumar Panwar, J)

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