

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53120 of 2022

Arising Out of PS. Case No.-405 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

Jitendra Kumar Son Of Bhagyanarayan Rai @ Bhagnrayan Ray Resident Of
Village- Belahiya, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code and Sections 8(C)/21(b) of the N.D.P.S. Act.

It is a case of recovery of 4 grams of smack like substance from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The recovered contraband smack is lesser than commercial quantity as per N.D.P.S.



Act. It is further submitted that without the report of F.S.L, charge-sheet has been submitted in this case. Moreover, the petitioner is languishing in judicial custody since 17.05.2022. Similarly situated co-accused has been granted Bail vide order dated 9.01.2023 passed in Cr. Misc No. 52909 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with N.D.P.S. Case No. 126 of 2022 arising out of Ahiyapur P.S. Case No. 405 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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