

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55730 of 2022

Arising Out of PS. Case No.-369 Year-2021 Thana- BAJPATI District- Sitamarhi

Bikash Rout @ Vikash Raut S/O Late Jatahu Raut Residence Of Village-
Sursand Ward No- 3, P.S.- Sursand, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 414 of the Indian Penal Code, Section 25(1-B)a, 26, 35 of the Arms Act and Section 8, 20(b)(ii)(c), 22 of the N.D.P.S. Act.

Prosecution case relates to recovery of firearms, live cartridge and narcotic substance from the possession of co-accused persons and an iron khanti and mobile phone were recovered from petitioner's possession.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner has no concern with the narcotic substance or incriminating weapon which were



recovered from the place of occurrence. Nothing incriminating article has been recovered from his conscious or constructive possession rather only one iron Khanti recovered from him. There is no consistent material found against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.12.2021.

Learned APP appearing for the state has opposed the prayer of regular 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 released on bail in connection with Bajpatti P.S. Case No. 369 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-III,- cum-Special Judge, N.D.P.S. Act, Sitamarhi/concerned court.

(Sunil Kumar Panwar, J)

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