

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57085 of 2022

Arising Out of PS. Case No.-471 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

PRABHAT KUMAR, Son Of Vinod Prasad @ Binod Prasad, R/O Village-
Shiwarahan Chaturhuj, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Ahiyapur P.S.
Case No. 471 of 2022 registered for the offence punishable under
Sections 25(1-B)a, 26 and 35 of the Arms Act and Sections 8 and
20(b)(ii)(B) of the NDPS Act.

Altogether, some arms, ammunition and 1.625 Kgs of
Ganja is the alleged recovery.

Learned counsel for the petitioner submits that from the
petitioner there is alleged recovery of 175 grams of *Ganja* like
substance only. The same is on the lower side of minimum quantity.
Petitioner has no antecedents and he is in custody since 07.06.2022.

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

Considering the quantum of recovery, clean antecedent of



the petitioner and period of custody, this Court is inclined to allow the petitioner's prayer for bail.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Muzaffarpur, in connection with Ahiyapur P. S. Case No. 471 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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