

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55842 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- MUSAHARI District- Muzaffarpur

Md. Abrar Warsi S/O Late Md. Aslam Rizwi @ Md. Aslam Rijavi Resident
Of Village- Admapur, P.S.- Goraul, District- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-02-2023 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 399, 402/34 of the
Indian Penal Code, Section 25(1-B)(a)/26/35 of Arms
Act and Section 20/22 of N.D.P.S. Act

there is recovery of one loaded country made
pistol and 250 grams of Charas 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. It is also submitted that without the report of F.S.L., the charge-sheet has been submitted, alleging that the seized substance is charas. The provision and process of N.D.P.S. is not followed in this case. Moreover, the recovered narcotics like substance alleging Charas is lesser than commercial quantity as per the N.D.P.S. Act. It is further submitted that petitioner is languishing in judicial custody since 5.7.2021.

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 Mushahari P.S. Case No. 113 of 2021 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 Sessions Judge-cum-Special Judge under
N.D.P.S. Act, Muzaffarpur.

(Sunil Kumar Panwar, J)

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