

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61708 of 2023

Arising Out of PS. Case No.-188 Year-2021 Thana- PATNA CITY CHOWK District- Patna

Nitish Kumar Son Of Vijay Bind R/O Bahri Begampur, Renter In The House
Of Gautam Yadav, Ps- Bypass, Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-09-2023 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 8/20(b) (ii) (A) of the N.D.P.S. Act and Sections 25(1-b)a, 26 of Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from the possession of total 550 grams ganja, one country made pistol, one live cartridge and one Samsung mobile were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The petitioner has no concern with the alleged recovery, and the recovered ganja does not come within the purview of commercial quantity as per



N.D.P.S. Act. It is further submitted that the petitioner is languishing in judicial custody since 04.07.2021.

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 **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Chowk P.S. Case No. 188 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 concerned Court.

(Sunil Kumar Panwar, J)

Manishkumar/-

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