

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64081 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

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Anchlesh Srivastava @ Anchles Kumar Srivastava @ Anchles Kumar S/O
Anil Kumar Srivastav Resident Of Village- Brahmpura, P.S.- Motipur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-01-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 118 of 2022 (NDPS Case No.55 of
2022) registered for the offences punishable under Sections 8,
20(b) (ii) (B) of the NDPS Act and Sections 25(1-b)a, 26 and 35
of the Arms Act.

As per the prosecution, two persons were
apprehended by the police and from their possession a country
made pistol, eight cartridges and 130 gm of narcotic material



suspected to be “*charas*” were recovered. Further, it is alleged that the apprehended persons disclosed the name of this petitioner as to be their accomplice.

The main submissions advanced by the learned counsel Mr. Yashraj Bardhan appearing for the petitioner are that the petitioner earlier preferred Cr. Misc No.34985 of 2022 for the relief of regular bail which was rejected by this Bench with a liberty given to him to renew his bail prayer after framing of charge and thereafter the charge has been framed upon the petitioner vide order dated 25.07.2022 vide Annexure-4 by the Trial Court and the petitioner is a student and he has been languishing in jail since 13.02.2022. Further submission is that main accused Sonu Kumar @ Kunal Kushwaha has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr.Misc No.48439 of 2022 and the case of the petitioner stands on better footing than him and the petitioner has clean antecedent.

Learned APP Mr. Satyendra Narayan Singh appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly taking into account the changed circumstances as discussed above and also the fact that one co-accused carrying similar nature of



allegation is on bail and petitioner is stated to have clean antecedent, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 concerned Court in connection with Ahiyapur P.S. Case No. 118 of 2022 (NDPS Case No.55 of 2022).

(Shailendra Singh, J.)

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