

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69046 of 2023

Arising Out of PS. Case No.-434 Year-2020 Thana- NAGAR District- Vaishali

Dipak Kumar @ D.K S/O Mohan Lal Sah R/O Village- Hathsarganj, Ps-
Town Hajipur, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402 of the Indian Penal Code, sections 25(1-b)a, 26, 35 of the Arms Act and sections 20, 22, 23, 24, 27, 27(A), 29 of the N.D.P.S. Act.

3. According to the FIR, the petitioner along with other co-accused persons are said to have been apprehended by police and thereafter search has been made. From possession of this petitioner, 500 gm charas like substance was recovered. Other contraband material and arms are alleged to have been recovered from other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged recovery of *Charas* like narcotic substance and the same is alleged to be 500 gm which does not come under purview of commercial quantity as per N.D.P.S. Act. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and is languishing in judicial custody since 5.7.2020.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Town P.S. Case No. 434 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

