

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66812 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- RAMGARHWA District- East Champaran

Goodluck Kumar S/O Prabhu Prasad @ Prabhu Kushwaha R/O Village-
Baudha, Ward No. 11, P.S- Ramgarhawa, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S Case no.36 of 2022 (arising out of Ramgarhawa P.S. Case no.36 of 2022) registered under sections 399, 414, 401 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 20(b)(ii)(C), 22 and 23 of the N.D.P.S Act.

3. As per the prosecution case, the informant states that seeing the police personnel, some persons started to flee away. They were chased and four of them were caught while two escaped. It is stated that incriminating articles were recovered from the possession of the persons caught and they disclosed the names of the two persons who had managed to escape which included the petitioner herein.



4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. His name transpired in the statement of a co-accused made before police. He is in custody since 28.7.2023.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and having considered the allegations against this petitioner in the FIR, his not having been arrested at the spot nor any incriminating article having been recovered from his possession together with the petitioner having remained in custody since 28.7.2023, the petitioner is directed to be enlarged on bail in connection with N.D.P.S Case no.36 of 2022 (arising out of Ramgarhawa P.S. Case no.36 of 2022) 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/Special Judge, East Champaran, Motihari.

(Partha Sarthy, J)

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