

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66236 of 2022

Arising Out of PS. Case No.-504 Year-2022 Thana- KANTI District- Muzaffarpur

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Nawal Kumar Son Of Jeevachh Chaudhary @ Jiwas Choudhary R/V-
Jhapahan Dih, Near Bhatta, P.S- Ahiyapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioner seeks regular bail in connection with Kanti P.S. Case No. 504 of 2022 registered for the offences punishable under Sections 399, 400, 401, 402, 414 and 411 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 8/21(b) of the NDPS Act.

As per the prosecution, the police personnel on secret information apprehended this petitioner along with other co-accused persons and recovered 25 pudiyas of narcotic material



suspected to be *Heroin* and a pistol loaded with one cartridge.

The main submissions advanced by the petitioner's counsel are that though the petitioner was arrested at the spot but from his possession no incriminating material was recovered and the alleged ten grams of *Heroin* like substance and *firearm* were recovered from the possession of other co-accused persons and the petitioner is merely stated to be the owner of one of the motorcycles which was seized at the spot and against him there is criminal antecedent of three cases in which he is on bail and he has been languishing in jail since 30.07.2022 and against him investigation has been completed.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the above submissions and mainly the facts that from the possession of the petitioner no objectionable material was recovered when he was apprehended along with other co-accused persons and against him the investigation has been completed and also taking into account the petitioner's young age mentioned in the petition as well as his custody period, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 Kanti P.S. Case No. 504 of
2022.

(Shailendra Singh, J.)

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