

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69082 of 2022

Arising Out of PS. Case No.-377 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Rinku Gupta Son Of Umashankar Sah @ Umashankar Gupta R/O Village-
New Agarwa, P.S.- Town, District- East Champaran. A/P. Agarwa, Motihari
P.S. Town Motihari, East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Town P.S. Case No. 377 of 2022 registered under Sections 20 (b), ii(c) and 23 (c) of the NDPS Act and Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 120 B of the Indian Penal Code.

Prosecution case in short is that petitioner along with co-accused are planning to commit loot, murder etc. On the secret information, police team reached that place where they were present, and after that police team apprehended all of them. On search, there is recovery of 1 kg 20 gram charas



and a country made pistol with cartridge from the house of co-accused Lal Saheb, from the house of co-accused Umang Dubey, there is recovery of 1 kg 10 gram charas and arms and from the house of the petitioner, there is recovery of one country made pistol and two live cartridge.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing incriminating contraband charas has been recovered from the possession of the petitioner rather the recovery of charas like substance is from the houses of the other co-accused, namely, Lal Saheb and Umang Dubey. Petitioner has no concern with the alleged contraband charas like substance. He is languishing in judicial custody since 01.06.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Town P.S. Case No. 377 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 Additional Sessions Judge-5th , East Champaran,
Motihari.

(Sunil Kumar Panwar, J)

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