

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71386 of 2022

Arising Out of PS. Case No.-753 Year-2020 Thana- AHYAPUR District- Muzaffarpur

KAUSHAL DAS, S/o Girdhari Das, R/o Village- Atrar, P.S.- Aurai, Distt-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-04-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with N.D.P.S. Case No. 138 of
2022 arising out of Ahiyapur P.S. Case No. 753 of 2020 dated
17.09.2020 registered for the offences punishable u/ss 20 and 22
of the N.D.P.S. Act and Sections 25(1-b)a, 26 and 35 of the
Arms Act.

As per the prosecution case, total 1.25 Kg ganja, two
live cartridges, HF Deluxe motorcycle were recovered from the



possession of the co-accused Lalit Kumar who was apprehended by the police and the said apprehended co-accused person disclosed the name of the petitioner as one of the accused persons who was consuming the psychotropic substance and preparing plan to commit crime.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench vide order dated 05.09.2022 passed in Cr. Misc. No. 29691 of 2022. The petitioner is also accused in three other criminal cases and he is on bail in the said cases as stated in para 3 of the bail petition. The petitioner is in custody since 01.06.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with N.D.P.S. Case No.



138 of 2022 arising out of Ahiyapur P.S. Case No. 753 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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