

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75358 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- MANJHAGARH District- Gopalganj

Aurangjeb @ Pampam Son Of Seraj Alam @ Baccha Miyan Residents Of
Village -Pipra, P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 399, 402, 414 of the IPC and Section 25(1-b)a, 26 and 35 of the Arms Act and Section 8(C), 21(b) of NDPS Act.

As per allegation in the FIR, on getting secret information police party proceeded towards place of occurrence, and apprehended five accused persons including the petitioner. On search, three mobiles, one country made loaded pistol with one live cardtridge and two live cartridge and 08 gram brown smack like substance from possession of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 50 of the NDPS Act. The recovered contraband smack like substance comes below the commercial quantity. Petitioner is languishing in judicial custody since 18.08.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Distt. And Sessions Judge, Gopalganj in connection with Manjhagarh P.S. Case No. 292 of 2023.

(Sunil Kumar Panwar, J)

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