

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75581 of 2023**

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

RAJA BABU MISHRA S/O- AMARNATH MISHRA R/O- VILLAGE-
BANJARIA, P.S.- MOHAMMADPUR, DIST.- GOPALGANJ, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Umeshanand Pandit

**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.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 399, 402 414/34 of the IPC, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 8, 20(b)(ii)(A) of the N.D.P.S. Act.

3. Prosecution case relates to recovery of 1 kg. Ganja like substance, arms, ammunition, cash ornaments etc, were recovered from a white colour Scorpio and petitioner was arrested on spot.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. The petitioner has no concern with the alleged recovery or with the vehicle in question. The provision



of Section 100 of the Cr.P.C. has not been followed in this case. Only on the basis of suspicion, petitioner has implicated in the present case by the police. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 31.10.2023 passed in Cr. Misc. No. 65699 of 2023. He is languishing in judicial custody since 10.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, this court is inclined to enlarge the petitioner on bail. 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 Sessions Judge, Gopalganj in connection with Barauli P.S. Case No. 292 of 2023.

(Sunil Kumar Panwar, J)

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