

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74607 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- MITHANPURA District- Muzaffarpur

Md. Parvej Son Of Late Salim @ Salim Warai Resident At House Of Mintu
Mohalla - Sir Saiyad Colony, P.S. - Ahiyapur, District - Muzaffarpur
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-11-2023 This is the second attempt for grant of regular bail of the petitioner as the earlier application of the petitioner has been rejected vide order dated 24.05.2023 passed in Cr. Misc. No. 28289 of 2023.

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

3. The petitioner seeks bail in connection with Mithanpura P.S. Case No. 387 of 2022 registered for the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act and under Sections 8, 20(b)(ii)(B), 8(c) and 21(C) of N.D.P.S. Act.

4. As per the prosecution case, one country made pistol with five live cartridges and 230 gms. of Smack has been recovered from the petitioner during checking of the vehicle.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and one of the co-accused namely Md. Faiz has been



granted bail vide order dated 14.07.2023 passed in Cr. Misc. No. 41864 of 2023.

6. Learned counsel for the petitioner also submits that the petitioner is in custody since 04.11.2022.

7. Learned A.P.P. has vehemently opposed the prayer for bail.

8. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

9. Let the petitioner, above named, be released 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 learned Additional Sessions Judge, Muzaffarpur in connection with Mithanpura P.S. Case No. 387 of 2022.

10. As a condition of this order, after being released on bail the petitioner is directed to co-operate in the trial.

11. The petitioner will mark his attendance at Ahiyapur Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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