

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78211 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Aman Kumar Son Of Sri Sudhir Kumar R/O Anant Kamtaul, P.S.- Kudhani,
District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2023 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 Brahmpura P.S. Case No. 82 of 2023 registered under section 414, 34 of the Indian Penal Code and Sections 8(c), 21(b) of the NDPS Act.

Prosecution case relates to recovery of 10.4 gram smack from the possession of the petitioner and co-accused person and from their possession of looted motorcycle was also recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. Nothing looted article has been recovered from the



conscious possession of the petitioner rather the recovered motorcycle belongs to co-accused who was also apprehended on the spot along with this petitioner. It is further submitted that seized smack does not come within the purview of commercial quantity. The petitioner is languishing in judicial custody since 10.05.2023.

The application for bail is 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 as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed.** The above named petitioner is directed to be enlarged on bail in connection with Brahmpura P.S. Case No. 82 of 2023 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 11th Additional Sessions Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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