

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1564 of 2023

Arising Out of PS. Case No.-490 Year-2021 Thana- JOGAPATTI District- West Champaran

Suleman Mian Son Of Muslim Miyan R/O Vill.- Lauriya Briti Tola,
Matiyariya, P.S.- Lauriya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 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 Yogapatti (Sanichari) P.S. Case No. 490 of 2021 registered under sections 399, 402 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of Arms Act and Sections 20, 22, 23, 24, 25 and 27 of NDPS Act.

As per prosecution case, the police has raid and chased the accused persons who were on three motorcycles, after that only 3 accused persons were apprehended and this petitioner became successful to fled from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is submitted that neither the petitioner was arrested from the place of occurrence nor anything has been recovered from his possession rather the recovery of contraband materials is from the possession of other co-accused person. The name of the petitioner came in the F.I.R. on the basis of confessional statement of apprehended co-accused persons before the police. It is further submitted that there is no consistent material came against the petitioner to implicate in this case except the disclosure made by co-accused persons. He has no concern either with the recovered seized materials or with the other co-accused persons. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 23.08.2022.

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. The above named petitioner is directed to be enlarged on bail in connection with Yogapatti (Sanichari) P.S. Case No. 490 of 2021 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 District and Sessions Judge cum Special Judge, NDPS, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

