

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80201 of 2023**

Arising Out of PS. Case No.-352 Year-2023 Thana- SULTANGANJ District- Bhagalpur

Deepak Kumar @ Ghocha S/O Pradip Sah @ Pradeep Sah R/O Village-
Abjuganj, P.S- Sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 14-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26 and 35 of Arms Act and Sections 22, 29 of the NDPS Act.

3. Prosecution case relates to recovery of one country made pistol along with cartridges and 25 pieces of codeine syrup from the possession of this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The recovered codeine material does not come within the purview of commercial quantity as per NDPS Act. He has no concern with the recovered articles. Moreover, he is languishing in judicial



custody since 04.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Sultanganj P.S. Case No. 352 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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