

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3043 of 2023

Arising Out of PS. Case No.-248 Year-2022 Thana- BIKRAMGANJ District- Rohtas

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AMIT KUMAR @ BITTU SINGH SON OF LATE SURENDRA SINGH
R/O VILLAGE- DHARUPUR, P.S.- BIKRAMGANJ, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

6 21-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with N.D.P.S. Case No. 22 of 2022, arising out of Bikramganj P.S. Case No. 248 of 2022 registered for the offences punishable under Section 22(a)/27 of the Narcotic Drugs and Psychotropic Substance Act.

3. As per allegation in the FIR, two unknown persons selling intoxicant substance in backside of Reliance Trend Mall. After receiving information, the policy party made a team for raid and went there and they are arrested.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The other co-accused namely, Abhishek Kumar has been granted bail by a coordinate Bench of this court vide order dated 31.07.2023 in Cr. Misc. No. 8483 of 2023. He further submits that nothing has been recovered from the conscious possession of the petitioner. It is also submitted that petitioner is in judicial custody since 21.06.2022.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of charge*, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge, Rohtas at Sasaram in connection with N.D.P.S. Case



No. 22 of 2022, arising out of Bikramganj P.S. Case No. 248 of 2022.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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