

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5366 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- BELSAND District- Sitamarhi

Vikash Mishra, Male, aged about 38 years, Son of Laxmikant Mishra,
Resident of Village- Jafarpur, P.S.- Belsand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Belsand PS Case No. 83 of 2023 instituted for the offences
punishable under Section 414 of the Indian Penal Code and
Sections 8(C), 20(b) (ii) (B), 29 of the N.D.P.S., Act 1985.

3. As per the prosecution case, 1.5 kg of *Ganja* was
recovered from a motorcycle.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence and has
falsely been implicated in this case. From perusal of the case
diary, FIR, seizure list and the bail rejection order of the
learned Special Judge, Sitamarhi dated 06.11.2023, it appears



that total 1.5 Kg of *Ganja* has been recovered from co-accused persons. Similarly situated co-accused person namely Rahul Kumar @ Munu Shrivastava @ Munna Shrivastava @ Munnu Shrivastava has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 46844 of 2023 vide order dated 31.07.2023. petitioner is in custody since 03.06.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named 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 the learned Special Judge, Sitamarhi in connection with Belsand PS Case No. 83 of 2023.

7. However, the trial Court is directed to conclude the proceeding of *framing of charge* according to law within a period of one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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