

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6884 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- SHERGHATI District- Gaya

Pawan Kumar S/o Late Ajay Kumar Mishra R/o Vill - Panchanpur, P.S. -
Delha O.P. Panchanpur, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

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
Sherghati Dobhi P.S. Case No. 116 of 2023 instituted for the
offences under Sections 8/20 (I), (ii), (b) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
5.95 Kg. Ganja like substance and a Hero Honda Splendor 125
black motorcycle bearing Registration No. BR02BD 6753 from
the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. Nothing



incriminating has been recovered from the possession of the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.09.2023. The petitioner has no concern with the recovered articles and he is only the owner of the seized motorcycle. He had given his motorcycle to the co-accused/Suresh Paswan to bring some medicines when he was caught by the police. Learned counsel for the petitioner further submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel for the petitioner submits that the co-accused/Suresh Paswan has been granted bail by a Co-ordinate Bench of this Court vide order dated 03.07.2023 passed in Cr. Misc. No. 36609 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody as also the petitioner having no criminal antecedent and the fact that the co-accused has been granted bail by a Co-ordinate Bench of this Court, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sherghati Dobhi P.S.
Case No. 116 of 2023.

(Rudra Prakash Mishra, J)

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