

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8345 of 2024

Arising Out of PS. Case No.-387 Year-2022 Thana- MITHANPURA District- Muzaffarpur

Md Raja Khan Son of Md. Rijwan Khan Resident of Mohalla- Rani Lodge,
Tinkothiya, P.S.-Mithanpura, Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
N.D.P.S. Case No. 03 of 2023 arising out of Mithanpura P.S.
Case No. 387 of 2022, dated 03.11.2022 registered for the
offences punishable under Sections 25(1-B)a, 26 and 35 of the
Arms Act and Sections 8, 8(c), 20(b)(ii)(B) and 21(c) of the
N.D.P.S. Act.

3. The main submissions advanced by learned
counsel for the petitioner are that as per allegation, only 62
grams of *Smack* like material is said to have been recovered
from the possession of this petitioner which comes in the
purview of intermediate quantity and the petitioner has got no
criminal antecedent and the co-accused persons Md. Faiz @



Md. Faiyaz and Md. Parvej, carrying more serious allegation than that of the petitioner, have been granted bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos. 41864 of 2023 and 74067 of 2023 respectively and the petitioner has been languishing in jail since 04.11.2022 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions and mainly quantity of the alleged contraband and also the petitioner's custody period and privilege of bail granted to above-mentioned two co-accused persons by co-ordinate Bench of this Court, this Court is inclined to accept the prayer for bail of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with N.D.P.S. Case No. 03 of 2023 arising out of Mithanpura P.S. Case No. 387 of 2022.

(Shailendra Singh, J)

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