

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23648 of 2024

Arising Out of PS. Case No.-818 Year-2022 Thana- KANKARBAG District- Patna

NIRAJ SINGH @ SHIVAM SINGH @ BABUA SINGH S/o Mukesh Singh
@ Manjit Singh R/o Negnama Tola, P.S.-Barhara, Distt.-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-06-2024 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 399, 402 of the Indian Penal Code, sections 25(1-b)a/26/35 of the Arms Act and sections 20(b)(ii)(A)/22(b)/29 of the N.D.P.S. Act.

3. Prosecution case relates to recovery of one country made pistol, three live cartridges and 1.5Kg ganja like contraband substance from the possession of the petitioner who along with others are said to have been arrested on spot.

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 petitioner has no concern with the alleged recovery of contraband substance or with the arms. It is further submitted that the alleged seized



ganja is said to be 1.5kg which does not come under purview of commercial quantity as per the NDPS Act. Moreover, he is languishing in judicial custody since 5.9.2022.

5. In pursuance to the direction of this Court, a report dated 17.5.2024 with regard to present stage of trial has been received by which it appears that the charge has been framed against the petitioner.

6. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got several criminal antecedents.

7. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kankarbagh P.S. Case No. 818 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-XIV-Cum-Special Judge-I, NDPS Act, Patna.

(Sunil Kumar Panwar, J)

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