

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15401 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Anil Kumar Son of Janak Ray Resident of Village- Ghaua @ Jhaua, Police
Station- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 15738 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Shiv Kumar @ Shiva Kumar S/o Kali Ray Resident of Village- Jhauya, P.S.-
Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 21823 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Vinod Kumar SON OF RAMJEE RAY @ RAMJI RAI RESIDENT OF
VILLAGE- SAMAUL SAHPUR, PS- MAHINDWARA, DISTT-
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 15401 of 2024)
For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nityanand, APP
(In CRIMINAL MISCELLANEOUS No. 15738 of 2024)
For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP
(In CRIMINAL MISCELLANEOUS No. 21823 of 2024)
For the Petitioner/s : Mr. Dwij Raj, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP



CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-04-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Runnisaidpur P.S. Case no.618 of 2023 registered under sections 413 and 414 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 8 and 20(b)(ii)(B) of the NDPS Act.

3. As per the prosecution case, the informant states that the accused persons were signalled to stop. Four accused persons including the petitioners herein were caught. On search it is stated that a country made *katta* was recovered from the possession of Anil Kumar as also Vinod Kumar while four live cartridges were recovered from the possession of Aditya Kumar. Further, 1 kg of *ganja* was recovered from the bag on the motorcycle.

4. Learned counsel for the petitioner Anil Kumar submits that contrary to the allegations, no incriminating article has been recovered from his possession. He has been falsely implicated in the case and is in custody since 20.12.2023.

5. Learned counsel for the petitioner Shiv Kumar submits that he has been falsely implicated in the case. Even as per the allegations in the FIR, no incriminating article has been



recovered from his possession. He has no criminal antecedent and is in custody since 20.12.2023.

6. Learned counsel for the petitioner Vinod Kumar submits that the petitioner has been falsely implicated in the case. The alleged recovery of *ganja* is of a small quantity. He is in custody since 20.12.2023 and charge-sheet has been submitted in the case.

7. The application for bail is opposed by learned A.P.P for the State.

8. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner Vinod Kumar, recovery of *ganja* from his motorcycle together with the recovery of a country made *katta* and the said petitioner having criminal antecedents, the Court is not inclined to enlarge the petitioner Vinod Kumar on bail and the application is rejected.

9. In the facts and circumstances of the case, taking into consideration the nature of allegation, the petitioners having remained in custody since 20.12.2023, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioners Anil Kumar and Shiv Kumar are directed to be enlarged on bail in connection with Runnisaidpur P.S. Case



no.618 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum- Special Judge, NDPS Act, Sitamarhi.

(Partha Sarthy, J)

Shiv/-

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