

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38160 of 2024

Arising Out of PS. Case No.-777 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Rahul Kumar SON OF SAILESH KUMAR RESIDENT OF VILLAGE-
NANDLAL CHAPRA, PS- RAMKRISHNA NAGAR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Spl. Case No.21 of 2024 arising out of Ramkrishna Nagar P. S. Case No.777 of 2023 under Sections 25(1-b)a, 26/35 of the Arms Act read with section 20(b)(ii)(a), 25, 29 of the N.D.P.S. Act.

3. As per the prosecution, the FIR has been lodged against two named accused persons including the petitioner against whom there is allegation that one desi katta and 259 gm *ganja* have been recovered which is subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the said recovery has been made from the petitioner and co-accused Shailesh Kumar.



5. Counsel further submits that the said recovered ganja is less than the small quantity.

6. Counsel also submits that antecedent of the petitioner is clean and the petitioner has neither been apprehended from the place of occurrence nor any recovery of N.D.P.S. material has been made from him.

7. Learned APP for the State opposes the prayer for bail and submits that the recovery of N.D.P.S. material from the petitioner is less than the small quantity.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl-Judge-II N.D.P.S. Patna in connection with Spl. Case No.21 of 2024 arising out of Ramkrishna Nagar P. S. Case No.777 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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