

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34790 of 2024

Arising Out of PS. Case No.-489 Year-2023 Thana- GAIGHAT District- Muzaffarpur

1. Prince Singh S/O Mr. Anuja Singh @ Narmdeshwar Singh R/O Village- Chiraila, P.S.- Gaighat, Dist- Muzaffarpur
2. Gaurav @ Chhotan Singh S/O Mr. Anuja Singh @ Narmdeshwar Singh R/O Village- Chiraila, P.S.- Gaighat, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Gaighat P.S. Case No. 489/2023 dated 20.12.2023 registered for the offence punishable u/ss 401 and 414 read with 34 of the Indian Penal Code, Sections 25(1-B)a, 26 and 35 of the Arms Act and Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, total 2.49 grams of smack like substance, one country-made pistol with one live cartridge, a mobile phone and a knife were recovered from the possession of the petitioner no. 1 and total 2.41 grams of smack



like substance and one empty country-made pistol was recovered from the possession of the petitioner no. 2.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The seized contraband is small quantity. The petitioners are accused in two other criminal cases out of which one case of the petitioner no. 2 is related to offence of N.D.P.S. Act as stated in para 3 of the bail petition. The petitioners are in custody since 21.12.2023

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur, in connection with Gaighat P.S. Case No. 489/2023, with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be canceled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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