

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41687 of 2024

Arising Out of PS. Case No.-876 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Himanshu Kumar @ Bittu @ Bittu Kumar S/O PAWAN KUMAR R/O
VILLAGE- Naya Tola Keshopur, P.S.- JAMALUR, DIST- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Anish Chandra

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramkrishna Nagar P.S. Case No. 876/2023 dated 25.12.2023 registered for the offence punishable u/s 8(c), 21(c), 25 and 29 of the N.D.P.S Act.

3. As per the prosecution case, total 506 grams of smack was recovered from the lap of the co-accused, Abhishek Kumar Gupta who was sitting in the car. On interrogation, Abhishek Kumar Gupta and Amit Raj disclosed that their associate Himanshu Kumar (petitioner)



along with Rahul Kumar and Rohit Kumar have arranged the said smack.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was not present at the spot. The other co-accused person has already been granted bail by this court *vide* order dated 14.05.2024 passed in Cr. Misc. No. 26354/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.12.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Ramkrishna Nagar P.S. Case No. 876/2023, with the condition;-



(i). The petitioner is 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 petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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