

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40669 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- HUSSAINGANJ District- Siwan

Vishwas Kumar @ Vishwas Kumar Yadav Son Of Parsuram Yadav Resident
Of Village - Habibnagar, P.S. - Hussainganj, District - Siwan

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Anish Chandra, APP

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

ORAL ORDER

3 18-07-2024 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 Hussainganj P.S. Case No. 04 of 2024 dated 04.01.2024 registered for the offences punishable u/s 399, 402, 414 of the Indian Penal Code and section 25 (1-b) a, 26, 35 of the Arms Act and section 8(c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, four puriyas of smack like substance and Rs. 41800/- in cash were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The weight of the smack is not confirmed in the seizure list as per the F.I.R. and the alleged contraband is less



than commercial quantity. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 24.06.2024 passed in Cr. Misc. No. 42040 of 2024. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.01.2024.

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 nature of allegation against the petitioner and 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, Siwan in connection with Hussainganj P.S. Case No. 04 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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