

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50509 of 2024

Arising Out of PS. Case No.-512 Year-2023 Thana- KANTI District- Muzaffarpur

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Avinash Kumar Son of Ram Pravesh Sahni R/O- VILLAGE- BANGRA
NIZAMAT, P.S.- SAHEBGANJ, DISTT.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Kanti P.S. Case no. 512 of 2023 registered under sections 25(1b)(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, on a search being conducted it is stated that the other accused managed to escape, however two accused were arrested and on search 2.1 Kgs. of *ganja* besides arms etc. were recovered from their possession. It is further stated that the accused who were caught disclosed the names of three persons who had managed to escape and which included the petitioner herein.

4. Learned counsel for the petitioner submits that



neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. Referring to the F.I.R it is submitted that even the car from which the alleged recovery is said to have taken place does not belong to him but belongs to the co-accused. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from his possession, the vehicle in question not belonging to the petitioner and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kanti P.S. Case no. 512 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge NDPS-II, Muzaffarpur.

(Partha Sarthy, J)

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