

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57253 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Deepak Kumar Son of Sunil Rai R/O Vill.- Ramai Tole, P.S.- Chakmehsi,
District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with N.D.P.S Case no. 166 of 2023, arising out of Gaighat P.S Case no. 270 of 2023 registered under section 414 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 8 and 20(b)(ii)(B) of the N.D.P.S Act.

3. As per the prosecution case, the informant states that seeing the police personnel, the accused persons made an attempt to escape but the three accused including the petitioner herein were caught. On search, a mobile phone was recovered from the possession of the petitioner and 5.2 kgs of ganja was recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. The earlier application for bail of the petitioner was rejected vide order dated 14.3.2024 (Annexure-1) passed in Cr. Misc. no.14627 of 2024, giving liberty to the petitioner to renew his prayer for bail after four months or on framing of charge, whichever is later. Referring to the statement made in paragraph no.12 of the petition, learned counsel for the petitioner produces a certified copy of the order framing charge against the petitioner in the learned trial Court. The order is taken on record. The petitioner is in custody since 12.7.2023.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, liberty granted to the petitioner by the aforesaid order of rejection dated 14.3.2024, charge having been framed against the petitioner in the learned trial Court vide order dated 21.12.2023 together with the petitioner having remained in custody for more than a year since 12.7.2023, the petitioner is directed to be enlarged on bail in connection with N.D.P.S Case no. 166 of 2023 (arising out of Gaighat P.S Case no. 270 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 Additional District & Sessions Judge XI-cum-
Special Judge, Muzaffarpur.

(Partha Sarthy, J)

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