

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74393 of 2024

Arising Out of PS. Case No.-466 Year-2021 Thana- PATLIPUTRA District- Patna

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Amit Kumar Singh @ Viru @ Shekhar Son of Late Vijay kumar singh
Resident of Mohalla 3rd Floor, F-Nandan Residency Naradih, P.S. - Dhanbad,
District - Dhanbad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 29-11-2024 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 Patliputra Thana P.S. Case No. 466 of 2021 arising out of Special Case o. 130 of 2021 dated 15.09.2021 registered for the offences punishable u/ss 20(b)(ii)(C) of the N.D.P.S. Act and u/ss 25(1B)(a)/ 26/ 35 of the Arms Act.

3. As per the prosecution case, during the vehicle checking, the police personnel signaled to stop the Swift car but the driver veered the car across east of service lane of New Patliputra Colony on Atal Path then the police intercepted the said car and caught three persons. They disclosed their name as



Rahul Kumar, Rishi Sardar and Amit Kumar Singh (petitioner).
On search, one pistol and two cartridges loaded in its magazine, one mobile and Rs. 1000/- were recovered from the possession of the co-accused Rahul Kumar. One pistol and four cartridges loaded in its magazine, two mobile and Rs. 500/- were recovered from the possession of the co-accused Rishi Sardar and one pistol and three cartridges loaded in its magazine were recovered from the possession of the petitioner and 23.8 Kgs ganja was also recovered from the dicky of the said car.

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 possession of the petitioner. It is further submitted that the regular bail application of the petitioner has been rejected by this court vide order dated 09.08.2023 passed in Cr. Misc. No. 48147 of 2023 whereby the learned trial court was directed to expedite the trial and conclude the same at the earliest. It is further submitted that as per Letter No. 371 dated 30.10.2024, it is clearly mentioned that out of eight Charge-sheeted witnesses, no one has been examined till date. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 16.09.2021



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 Patliputra Thana P.S. Case No. 466 of 2021 arising out of Special Case o. 130 of 2021, with the following condition/s:-

(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 bond of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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