

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75967 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

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Vinod Kumar S/O Ramjee Ray @ Ramji Rai R/O Village- Samaul Sahpur,
Police Station- Mahindwara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar @ S.K., Advocate
		Ms. Anjana, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his application for grant of bail in connection with Runnisaidpur P.S. Case no.618 of 2023 registered under sections 413 and 414 of the Indian Penal Code, sections 8 and 20(b)(ii)(B) of the NDPS Act and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that the accused persons were signalled to stop. Four accused persons including the petitioners herein were caught. On search it is stated that a country made pistol was recovered from the possession of Anil Kumar as also Vinod Kumar while four live cartridges were recovered from the possession of Aditya Kumar. Further, 1 kg of ganja was recovered from the bag on the



motorcycle.

4. Learned counsel for the petitioner submits that as per allegations, about 1 kg of ganja is said to have been recovered from the bag on the motorcycle belonging to this petitioner. Contrary to the allegations, no incriminating article has been recovered either from the petitioner's possession or from any bag on the motorcycle nor has any country made pistol been recovered. The petitioner is in custody since 20.12.2023 and charge has been framed in the learned trial Court. He undertakes to cooperate in the trial.

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

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 12.11.2024 of the Principal District and Sessions Judge-cum-Special Judge, N.D.P.S. Act, Sitamarhi, charge has been framed on 15.5.2024 and one witness has been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, his having remained in custody for 11 months since 20.12.2023 and trial having commenced in the learned trial



Court, the Court directs the petitioner to be enlarged on bail in connection with Runnisaidpur P.S. Case no.618 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 Sessions Judge-cum-Special Judge, N.D.P.S. Act, Sitamarhi.

(Partha Sarthy, J)

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