

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74224 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- JOGAPATTI District- West Champaran

Ajaj Ansari @ Azad Ansari Son Of Nurul Hoda Ansari Village- Amaithiya Ps-
Yogapatti Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 412, 413, 414, 420,
467, 468, 471/34 of the Indian Penal Code and Sections 8/20(b)
(ii)(c) and 23 of the N.D.P.S. Act.

3. The allegation against the petitioner is that from his
possession a stolen mobile has been recovered.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot
and he has no concern with the seized narcotics substance. The
name of the petitioner has come into light on the basis of
confessional statement of co-accused Ramashish Kumar, which



has got no evidentiary value in the eyes of law. He submitted that the as alleged mobile, which said to be recovered from the possession of petitioner is not stolen one and the same belongs to the petitioner. No incriminating articles have been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. and Section 50 of the N.D.P.S. Act have not been followed in this case. He is languishing in judicial custody since 29.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge, West Champaran, Bettiah in connection with Yogapatti P.S. Case No. 351 of 2023.

(Sunil Kumar Panwar, J)

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