

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81140 of 2023

Arising Out of PS. Case No.-1063 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Amit Srivastava S/O Ramashankar Prasad R/O Village- Sapgadha, P.S-
Chiraiya, Distt.- East Champaran, At Present Village- Chilmaniya, P.S-
Banjariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 8/20(b)(ii)(c) of the N.D.P.S. Act.

3. It is a case of assembling for commission of offence and five accused persons including this petitioner were apprehended on the spot with motorcycle and Scorpio vehicle and from the possession of this petitioner, two live cartridges were recovered. From the possession of other co-accused



persons, 1kg and 28 grams of charas like substance and some weapons have been recovered.

4.Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Charas like narcotics substance has not been recovered from the possession of the petitioner and also he has no concern with the vehicles in question. Recovery of charas like narcotics substance has been made from the possession of co-accused Pushkar Singh. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 09.01.2024 in Cr. Misc. No. 85353 of 2023. Moreover, the petitioner is languishing in judicial custody since 10.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Turkauliya P.S. Case No. 1063 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Sessions Judge/Special Judge, East
Champan, Motihari.

(Sunil Kumar Panwar, J)

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