

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87073 of 2024

Arising Out of PS. Case No.-123 Year-2019 Thana- DARPA District- East Champaran

Dr. Manohar Kumar Son of Nanhak Sahani Resident of Village- tinkoni, P.S.-
Darpa, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
Mr. Hemant Ray, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-02-2025 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 Darpa P.S. Case No. 123 of 2019 dated 30.11.2019 registered for the offences punishable u/ss 399, 402, 412 read with Section 34 of the Indian Penal Code, Sections 25(1-B)(a), 26 and 35 of the Arms Act, Sections 8, 20(b)(ii)(B) of the N.D.P.S. Act.

3. As per the prosecution case, loaded country made pistols and live cartridges along with 500 gms. of charas were recovered from the F.I.R. named accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case merely on suspicion. No incriminating article has been recovered from the conscious



possession of the petitioner. It is further submitted that the seized contraband is less than the commercial quantity. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.09.2024.

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, East Champaran at Motihari in connection with Darpa P.S. Case No. 123 of 2019 with the condition :-

(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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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