

In the Court of Additional Sessions Judge XXVI, Patna
SPL. CASE No.- 132/2021
Ayush Kumar @ Anurag Kumar & Ors.
Vs.
The State of Bihar

Petitioners

Opposite party

Sr. No.	Date	Order with signature of the Court	Office taken Date	Action/s with
	11.01.2022	Record placed for order. This bail application is preferred by Ayush Kumar @ Anurag Kumar in connection with Alamganj P.S. Case No. 625/2021 dated 17.09.2021 pending before this court. The petition received by this Court from the court of Ld. District and Sessions Judge, Patna filed by Sri Anand Kumar for hearing and disposal. Heard Ld. Advocate for the petitioner Sri Anand Kumar. In brief, the prosecution case is that on 17.09.2021 at 08.30PM when there was checking east of Bicoman golambar they found that two boys were seating on a bike and started to flee away on seeing the police checking one boy was successful to flee away while the boy who was riding the bike was caught. On search 20 pudiya each weighing 0.86 gram total 23 grams smack was recovered. Ld. Advocate for the petitioner submitted that the petitioner has no criminal antecedent and he is innocent and has committed no offence and has falsely been implicated in the aforesaid case only on the basis of doubt and also due ot police atrocity. That the petitioner is a student of B.Sc (Hons.) year 1 of LP Shahi College, Patliputra University, Patna and resident of Motihari and now residing in Patna for study purpose. That nothing has been recovered from the conscious possession of the petitioner while petitioner had kept a mobile valuation of Rs. 10000/-, cash of Rs. 3000/- and a locket of Hanumanji wearing in neck and woodland shoes, but nothing has been shown. That the police beat the petitioner mercilessly and showed 20 puriya of white substance about which petitioner has no knowledge. That police falsely by making concocted story dragged the petitioner and spoiled the career of him only on being opposed by the unlawful activity of the police. That there is no independent witnesses on the seizure list except police man while a lot of crowd including bus passengers were available but no one put their signature on the seizure		

In the Court of Additional Sessions Judge XXVI, Patna
SPL. CASE No.- 132/2021
Ayush Kumar @ Anurag Kumar & Ors. **Petitioners**
Vs. **Opposite party**
The State of Bihar

list. That police initially detained the petitioner at the place of occurrence of offence not arrested as police were fully aware of the fact but due to hot talking with the police, police making a false and concocted story dragged the name of the petitioner. That the petitioner is in jail since 18.09.2021. Hence, prayed to release a petitioner on regular bail.

Ld. A.P.P. appeared on behalf of the state and submitted that the petitioner has committed serious offence. Hence, prayed to reject the bail petition.

Heard the Ld. Advocates of both the parties and perused F.I.R., charge-sheet, seizure list and case diary of the Alamganj P.S. Case No. 625/2021 dated 17.09.2021. The petitioner is named accused in the FIR, 23 gram of smack was recovered from the conscious possession of the petitioner.

Considering the nature of the allegation, I am not inclined to enlarge the petitioner **Ayush Kumar @ Anurag Kumar** on regular bail. Therefore, the bail petition is hereby **rejected**.

The order is dictated, and corrected by me.

sd/-
(Rabi Kumar)
A.D.J. XXVI, Patna
Dated:- 11.01.2022