

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29064 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -KURSAKANTA District- ARRARIA

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1. Ganga Kumar Mandal Son of Chandan Mandal, Village- Dumeria, Ward
No. 4, P.S.- Sonamani Gudan, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 07-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.01.2017 in connection with Special Case No. 01/17, arising out
of Kursakanta (Kuwari) P.S. Case No.11/17 for offences
punishable under Sections 20, 22, 24 of the N.D.P.S. Act.

The prosecution case, as lodged by the police patrolling
party, is that the petitioner along with one another was
apprehended with a motorcycle and from their possession 3.8 kgs
of ganja was recovered.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and has
falsely been implicated in the aforesaid case. He submits that he
was only a pillion rider and not the driver of the vehicle and



nothing has been recovered from his conscious possession. He further submits that the two persons have been apprehended and it is little more than the prescribed minimum quantity between the two.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail 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 cum Special Judge, Araria, in connection with Special Case No. 01/17, arising out of Kursakanta (Kuwari) P.S. Case No.11/17, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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