

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19233 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Garib Mandal, son of late Motilal Mandal, Resident of village - Gokhlapur,
Ward No. 7, P.S. - Narpatganj, Dist - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party : Mr. Iftekhar Mahmood (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Narpatganj P.S. Case No. 80 of 2017, registered for the offences
punishable under Sections 38 (c)/20 (b) (ii) (B) of Narcotics Drugs
and Psychotropic Substance Act.

Allegedly, from the house of the petitioner 2 Kg. and
25 pouches of *Ganja* and Rs. 210/- were recovered.

Submission is of false implication and that the
alleged recovered quantity of *Ganja* does not come under
commercial quantity and it is just double the small quantity,
nothing was recovered from conscious possession of the
petitioner, there is no signature of the petitioner on the seizure list



and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 20.02.2017.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that on the seizure list there is no signature of the petitioner and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned District & Sessions Judge, Araria, in connection with Narpatganj P.S. Case No. 80 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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