

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41060 of 2017

Arising Out of PS.Case No. -19 Year- 2008 Thana -GOVERNMENT OFFICIAL COMP. District-
ARRARIA

=====

Udranand Mandal, Son of Jagdish Mandal, Resident of Village-
Narayanpur, Police Station- Raniganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeeva Roy, Advocate
Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr. S. Dayal, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 14.06.2017 in
connection with N.D.P.S. Special Case No.19 of 2008 for
allegedly having committed the offence under Sections 18 and
8 B of the N.D.P.S. Act.

Learned counsel for the petitioner submits that
though this case was filed by the authorities way back in the
year 2008, cognizance of the offence has been taken only in
the year 2016. He submits that neither in the main report filed
by the authorities, plot number indicated by the prosecution so
as to establish that the land in question over which poppy was



allegedly being cultivated belonged to the petitioner nor there is anything available in the cognizance order indicating that the plants so seized were found to be poppy, as alleged in the F.I.R. He thus submits that no case is made out against the present petitioner and he has been in custody on the basis of the cognizance order.

Having considered the facts and circumstances and finding the allegation against the petitioner being based on mere conjecture and surmise, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-Cum-Special Judge, Araria, in connection with N.D.P.S. Special Case No.19 of 2008.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

