

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5566 of 2018

Arising Out of PS. Case No.-48 Year-2016 Thana- Mejarganj District- Sitamarhi

Manoj Giri, son of Kamdeo Giri, R/o Village- Masahai, P.S.- Mejarganj,
District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 07-02-2018 Heard Sri Ashok Kumar Jha, learned counsel for the petitioner and Mr. S.M.Rahman, learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of bail on behalf of the petitioner. Earlier, the prayer for bail of the petitioner was rejected on 21-11-2016, vide Cr. Misc. No. 30949 of 2016. The petitioner is in custody since 11-05-2016 in Majarganj (Suppi) P.S. Case No. 48 of 2016 registered for offence under Sections 8/20 (B)(II)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985 on an accusation of possessing 11.5 Kg. of *Ganja*.

Learned counsel for the petitioner submits that the recovered *Ganja* was below the commercial quantity and without any appropriate trial, he is confined in jail since May, 2016. He further submits that despite the fact that in the case,



charge has already been framed, from the prosecution side, no witness has been examined.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Be that as it may, considering the quantity of recovered *Ganja*, period of custody as well as the fact that till date, none of the prosecution witness has been examined, there is no reason to further detain the petitioner in custody.

Let the petitioner namely Manoj Giri be released 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 Special Judge, N.D.P.S. Act, Sitamarhi in connection with Trial No. 6 of 2016, arising out of Mejarganj P.S. Case No. 48 of 2016.

(Rakesh Kumar, J.)

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