

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12964 of 2019

Arising Out of PS. Case No.-216 Year-2018 Thana- BANMANKHI District- Purnia

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MANISH KUMAR SAH Son of Sri Bihari Sah Resident of Muhalla -
Darjipatti Ward No.2, Banmakhi, P.S.- Banmakhi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate

Mr. Diwakar Upadhyaya, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
15.10.2018 in a case registered for the offences punishable
under Sections 8, 20(b) of the NDPS Act.

The prosecution case as per the self statement of
Anmol Kumar, S.H.O.-cum-C.I. Banmankhi Police Station
recorded on 14.10.2018 at 05.30 P.M. is to the effect that after
having received a secret information that the petitioner Manish
Kumar has brought 'ganja' for selling, a raid was laid when



two persons were apprehended, who disclosed their name as Manish Kumar, the petitioner and co-accused Tipu Kumar Sah. It is alleged that from the petitioner, 6 kgs of ganja was recovered and from co-accused Tipu Kumar Sah, 5 kgs of ganja was recovered.

It is submitted by learned Sr. counsel for the petitioner that the recovery of alleged contraband is between small and commercial quantity and the investigation has already been concluded. It is further submitted that the petitioner is accused in one other case apart from the present case which was registered in 2010, but in that case he is on bail.

Learned APP for the State submits that 6 kgs of ganja has been recovered from the conscious physical possession of the petitioner.

Considering the fact that the investigation has already been concluded and the recovery of contraband is between small and commercial quantity, let the above named petitioner 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 (NDPS Act)-cum-Sessions Judge, Purnea in connection with



Special Case No. 17 of 2018, arising out of Banmankhi P.S.
Case No. 216 of 2018.

(Dinesh Kumar Singh, J)

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