

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31834 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- EAST COLONY District- Munger

Gautam Kumar, aged about 30 years, (Male), Son of Late Abadh Bihari,
resident of Mohalla - Mungraura, P.S.- East Colony, District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.
Mr. Nirmal Kumar Sinha no.3, Adv.
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-06-2019 Heard Sri Nirmal Kumar Sinha, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who was arrested on 24.03.2019
and is custody since then, has prayed for grant of bail in East
Colony P.S. Case No.10 of 2019 registered for offence under
Sections 20, 22 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (hereinafter referred to as “N.D.P.S.Act”).

At the very out set, learned counsel for the petitioner
has drawn my attention to the statement made in paragraph-3 of
the petition to show that the petitioner is having clean
antecedent. It has further been argued that one of the co-
accused, namely, Mantu Tanti, from whose possession about
1.750 Kg of Ganja was recovered, has already been granted bail



by a Co-ordinate Bench of this Court vide order dated 15.03.2019 passed in Cr.Misc.No. 16178 of 2019. He further submits that from conscious possession of the petitioner, nothing was recovered, rather a lady, namely, Nilam Devi was apprehended outside the house of the petitioner carrying a bag, from whose possession about 4.550 Kg of Ganja was recovered. It was alleged that the petitioner was indulged in selling of Ganja and one of the co-accused Mantu Tanti had purchased Ganja from the petitioner. It has further been argued that one of the co-accused has been granted bail by a Bench of this Court.

Considering smaller quantity of recovered Ganja and the fact that one of the co-accused has been granted bail, let the petitioner, namely, Gautam Kumar 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 Sessions Judge, Munger in connection with East Colony P.S. Case No.10 of 2019.

(Rakesh Kumar, J.)

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