

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39820 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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AJAY KUMAR MANDAL S/o- Sri Suraj Mandal Resident of Village-
Ajmalpatti, P.O.- Majauliya, Ward No. 8, P.S.- Jaleshwar, District- Matotri
(Nepal).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Union of India through Narcotic Control Bureau, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv
For the Union of India : Mr.Manoj Kumar Singh, Adv. (C.G.C.)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 26-09-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 8,20(b)(ii)(c) and 23 of the

N.D.P.S. Act, 1985.

Four person were apprehended by the authority

of Narcotic Bureau and 31 Kg of Ganja was recovered. Two

personal search memo were prepared. In one memo, it is stated

that 15 Kg of Ganja was recovered from Ram Babu Mandal

alongwith this petitioner and 16 Kg of Ganja was recovered

from Chetan Mandal alongwith Rajiv Kumar Mandal.

Learned counsel for the petitioner has doubted



the veracity of search memo which should not have been drawn in the manner done by the authority. Personal search memo should be specific and speaking that from whose personal possession what quantity of Ganja was recovered.

Since severe punishment is prescribed for commission of offences under the Act, the strict compliance of law is mandate of the Statute.

Considering the aforesaid infirmity, let the petitioner, above named, who has got no criminal antecedent, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with N.C.B. Case No.C2-01/2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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