

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.606 of 2020

Arising Out of PS. Case No.-158 Year-2019 Thana- BARBIGHA District- Sheikhpura

MANISH KUMAR @ MANTU Son of Kamla Kant Singh Resident of
Village- Rampur Sinday, P.S.- Barbigha Mission O.P., District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Barbigha PS case no. 158 of 2019 instituted for the offence
punishable under Sections 20/22 of N.D.P.S. Act.

The allegation is regarding recovery of 15 kg of
ganja from the house of the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 26.08.2019. It is further submitted that since the
quantity of *ganja* recovered from the house of the petitioner
does not fall under the commercial quantity as per Schedule to
the N.D.P.S. Act, 1985, there is no impediment in granting bail



to the petitioner herein.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent and quantity of *ganja* seized from the house of the petitioner does not fall under the commercial quantity as per Schedule to the N.D.P.S. Act, 1985 as also taking into account the period of incarceration inasmuch as the petitioner is languishing in custody since 26.08.2019, I deem it fit and appropriate to release the abovenamed petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Sheikhpura in connection with Barbigha PS case no. 158 of 2019.

(Mohit Kumar Shah, J)

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