

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4704 of 2020

Arising Out of PS. Case No.-301 Year-2019 Thana- PARBATTa District- Khagaria

RAJESH MANDAL Son of Jay Prakash Mandal @ Prakash Mandal Resident
of Village - Kolwara, P.S.- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Special Case No. 08/ 2019, arising out of Parbatta P.S. Case No.
301 of 2019 for the offence punishable under Sections 20, 22 of
N.D.P.S. Act.

The allegation is regarding recovery of 4.12 Kg. of
ganja from the petitioner.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, he is
having a clean antecedent and is languishing in custody since
05.08.2019. It is further submitted that since the commercial
quantity prescribed in the schedule to the N.D.P.S. Act, 1985 is
20 Kg., the quantity of ganja recovered from the petitioner is



much less, hence there is no impediment in granting regular bail to the petitioner herein.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner coupled with the fact that the quantity of ganja recovered from the petitioner is much less than the quantity prescribed in the Schedule to N.D.P.S. Act as commercial quantity as also taking into account the fact that the petitioner is having a clean antecedent and is languishing in custody since 5.8.2019, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. III-cum- Special Judge (N.D.P.S.), Khagaria in connection with Special Case No. 08 of 2019, arising out of Parbatta P.S. Case No. 301 of 2019.

(Mohit Kumar Shah, J)

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