

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41981 of 2021

Arising Out of PS. Case No.-70 Year-2021 Thana- RANIGANJ District- Araria

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MAHENDRA MANDAL S/O GAJANAND MANDAL R/O VILLAGE-
PACHIRA, P.S-RANIGANJ, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight
weeks.

The petitioner is apprehending his arrest in connection
with Raniganj P.S. case No.70 of 2021 registered under Sections
15/18 of the Narcotic Drugs and Psychotropic Substances Act,
1985.

Prosecution case, in short, is that from 2 katha land of
the petitioner, poppy straw is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. It is alleged that from 2 katha land of the petitioner, poppy straw is said to have been recovered. Quantity of the poppy straw has not been indicated by the prosecution. Hence it cannot be ascertained that the recovered poppy straw is below the commercial quantity or the above commercial quantity. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Araria in connection with Raniganj P.S. case No.70 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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