

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43412 of 2021

Arising Out of PS. Case No.-197 Year-2021 Thana- BUDDHACOLONY District- Patna

Manish Kumar Son Of Ranjit Mahto @ Ranjit Kumar R/O Mohalla- Dujra
Devi Asthan, P.S.- Budha Colony, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard.

The petitioner seeks regular bail in connection with Budha Colony P.S. Case No. 197 of 2021, registered for the offence punishable under section 20/21(a) 22 of NDPS Act, 1985.

The allegation is regarding recovery of 1 gram of smack from the possession of the petitioner as also various quantities of smack from the possession of other co-accused persons, after they were arrested by the police and search was conducted.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a



clean antecedent and is languishing in custody since 25.06.2021. The learned counsel for the petitioner has further submitted that the quantity of smack i.e. 1 gram, recovered from the possession of the petitioner is much less than the small quantity defined in the schedule notified under the provisions of the NDPS Act, 1985. It is further submitted that the petitioner has been falsely implicated in the present case.

Per contra, Mr. Ashok Kumar, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the quantity of smack i.e. 1 gram, recovered from the possession of the petitioner is much less than the small quantity defined in the schedule notified under the provisions of the NDPS Act, 1985, apart from the fact that the petitioner is having a clean



antecedent, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Patna in connection with Budha Colony P.S. Case No. 197 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

