

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41350 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- SINGHESHWAR District- Madhepura

Ankit Kumar Son Of Shyam Yadav Resident Of Village - Naya Tola
Jurabganj, Ward No.- 1, P.S.- Kodha, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41699 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- SINGHESHWAR District- Madhepura

Manish Kumar Yadav Son Of Late Manohar Yadav Resident Of Village -
Naya Tola, Jurabaganj, Ward No.- 1, P.S.- Kodha, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41350 of 2022)

For the Petitioner/s : Mr. Anup Kumar Pandey, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 41699 of 2022)

For the Petitioner/s : Mr. Anup Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-11-2022 As both the criminal miscellaneous petitions have arisen out of same P.S. case, hence they are being decided together by a common order.

The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.



Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Singheshwar P.S. Case No. 78 of 2022 registered for the offences punishable under Sections 414, 420, 468 and 471 of the Indian Penal Code and Section 20 (b) (ii) (B) of N.D.P.S. Act.

As per the prosecution, the informant along with other police personnel was checking vehicles at a check post and apprehended two persons riding a motorcycle. Upon making search two keypad mobile phones were recovered from the possession of this petitioner and the co-accused person and 190 grams of *Ganja* was also recovered from the motorcycle hidden under the rider's seat.

The main submissions advanced by the learned counsel Mr. Anup Kumar Pandey appearing for the petitioners are that as per the prosecution one mobile phone and 190 gm narcotic material suspected to be *Ganja* are stated to have been recovered from the possession of both the petitioners but the said contraband was not recovered from the conscious possession of these petitioners. Further submission is that the petitioners have been languishing in jail since 10.04.2022 and



the alleged suspected contraband comes under the purview of small quantity and there is criminal antecedent of one case against both the petitioners which was lodged under Section 379 of I.P.C.

Learned APP Mr. Surendra Kumar appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly taking into account the quantity of the alleged contraband, in the opinion of this Court a lenient approach can be taken in respect of petitioners' prayer, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Singheshwar P.S. Case No. 78 of 2022.

(Shailendra Singh, J.)

murli/-

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

