

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45650 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- LODIPUR District- Bhagalpur

Chandan Kumar Son of Maheshwar Mandal Resident of Village - Alalpur,
Police Station- Parbatta, District - Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-11-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

Petitioner seeks regular bail in connection with Lodipur P.S. Case No. 20 of 2022 registered for the offences punishable under Sections 20 and 22 of the N.D.P.S. Act.

As per the prosecution, the informant along with other police personnel acting upon a secret information apprehended this petitioner and recovered 3kg of narcotic material suspected to be *Ganja* from a Scorpio vehicle.

The main submissions advanced by the learned counsel Dr. Manoj Kumar appearing for the petitioner are that



the petitioner was alleged to be driver of the vehicle from which the alleged contraband was recovered and three kg narcotic material suspected to be *Ganja* was alleged to have been recovered from the petitioner's vehicle and the said recovered material does not fall in the purview of commercial quantity and against him there is criminal antecedent of one case lodged under Section 379 and 411 of IPC and one named co-accused namely Jai Kishore Mandal has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 23224 of 2022 and the petitioner has been languishing in jail since 04.07.2022.

Learned APP Mr. Rajendra Nath Jha appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case as well as considering the above submissions and the quantity of the alleged contraband and also the fact the recovery of the alleged contraband was made before the police personnels who were made witnesses of the alleged search and seizure and during the trial of petitioner the maximum witnesses who are to be examined are official persons, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 Lodipur P.S. Case No. 20 of 2022.

(Shailendra Singh, J.)

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