

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64892 of 2021**

Arising Out of PS. Case No.-134 Year-2021 Thana- JOGBANI District- Araria

SANJEET MANDAL Son of Surendra Mandal Resident of Village - Tikuliya
Basti, Ward No.- 09, P.S.- Jogbani, District - Arariya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Supriya Rani, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 09-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 20, 21, 22 and 23 of the N.D.P.S. Act, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 27(v)(ii), 28 and 36 of the Drugs and Cosmetics Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.07.2021, charge-sheet has been submitted in the case and is a person with clean antecedent as stated in supplementary affidavit filed by the learned counsel for the petitioner.

The allegation is of recovery of one country made pistol along with one cartridge and thirty pieces of intoxicated injection from the petitioner and from polythene thrown by co-



accused who fled from the place of occurrence and it is alleged that 579 grams of *ganja* was also recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and thrust of the allegation is under the Arms Act and Drugs and Cosmetics Act where it is alleged that 30 pieces of intoxicated injection was recovered from the petitioner and from perusal of the seizure list it would manifest that the name of the injection has not been disclosed, it is thus submitted that if intoxicated injection would have been recovered from the possession of the petitioner then the name of the injection should have figured in the seizure list, it is also submitted that alleged recovery of *ganza* is from a polythene thrown by co-accused who fled and even the recovery was of less than small quantity.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 08.07.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jogmani P.S. Case No. 134 of 2021, with a condition that one of the bailors of the petitioner shall be his father, Surendra Mandal.

(Satyavrat Verma, J)

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