

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59224 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- SANJHOLI District- Rohtas

MANISH KUMAR @ MUNNA S/o Late Haridwar Singh Resident of
Village- Bajitpur, P.S.- Sanjhauli, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Sanjhauli PS case no. 119 of 2022 instituted for the offences punishable under Sections 8, 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

The case of the prosecution in brief is that upon the informant having received secret information to the effect that the petitioner is involved in business of *ganja*, he had proceeded to the place of occurrence along with other police personnel and had arrested the petitioner, whereafter search was made and 2.900 kg of *ganja* was recovered from the house of the petitioner, apart from recovery of 8.640 liters of English wine.

The learned counsel for the petitioner submits that



the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 30.06.2022. The learned counsel for the petitioner has further submitted that the quantity of *ganja* recovered from the house of the petitioner is much less than the commercial quantity, as specified in the Schedule notified under the provisions of the N.D.P.S. Act, 1985 i.e. 20 kg. and moreover, the house from where the *ganja* and illicit liquor has been recovered does not belong solely to the petitioner but the same is in joint possession of the petitioner and other family members, hence, the petitioner cannot be saddled, solely, with the liability of the recovered articles.

Per contra, 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 learned counsel for the parties and taking into account the materials available on record as also considering the fact that the quantity of *ganja* seized from the house of the petitioner is much less than the commercial quantity, specified under the Schedule notified under the provisions of the N.D.P.S. Act, 1985 apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since 30.06.2022, I deem it fit and appropriate to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge-cum-Special Judge, N.D.P.S. Act, Rohtas at Sasaram in connection with Sanjhauli PS case no. 119 of 2022.

(Mohit Kumar Shah, J)

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