

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9451 of 2023**

Arising Out of PS. Case No.-259 Year-2022 Thana- KISHANGANJ District- Kishanganj

Shankar Kumar Mandal @ Shankar Mandal S/o Late Asarfi Mandal R/o  
Behind of Bihar Bus Stand Kishanganj, P.S.- Kishanganj Distt- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amal Kumar Sinha, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      03-05-2023                      1. Heard learned counsel for the petitioner and the  
learned APP for the State.

2. Petitioner seeks regular bail in connection with  
Special Case No. 20/2022 arising out of Kishanganj P.S. Case  
No. 259 of 2022 dated 04.07.2022 registered for the offences  
punishable under Sections 17(a), 18(a) and 21(a) of N.D.P.S.  
Act.

3. The main submissions advanced by petitioner's  
counsel are that as per the allegation, 7.380 gm of narcotic  
material suspected to be smack kept in 35 sachets is stated to  
have been recovered from the house of this petitioner but the  
petitioner had no concern with the said seized contraband and in  
actual, the petitioner's wife was involved in the alleged crime  
and three similarly situated co-accused persons namely



Aftab Hussain, Aarti Devi and Muskan Devi have been granted bail by the trial Court itself and the case of this petitioner stands on better footing from the said co-accused persons as he was not arrested with the alleged contraband and moreover, the alleged contraband which is stated to have been recovered from the house of this petitioner is slightly more than the small quantity and the witnesses of the seizure of the alleged contraband are police personnel and against the petitioner, the charge has been framed and his trial has started and he has been languishing in jail since 08.07.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Special Case No. 20/2022 arising out of Kishanganj P.S. Case No. 259 of 2022.

**(Shailendra Singh, J)**

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