

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13207 of 2023

Arising Out of PS. Case No.-816 Year-2022 Thana- KANTI District- Muzaffarpur

Manish Kumar Son of Sushil Sahni Resident of Village - Adarsh Gram Road
No.- 3, P.S.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Section 8/20(b)(ii)(c) of the NDPS act and Section 25(1-b)a, 26 and 35 of the Arms Act.

As per allegation in the FIR, on secret information about transportation of Ganja, police party reached near Sadatpur over bridge and on seeing them, six miscreants on two motorcycles were stopped and on search, arms and ammunitions and 26.3 kg. Ganja like substance were recovered from all the accused persons including this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated



in the present case due to high handed of police. The seizure list witnesses are police personnel which is complete violation of provision of Section 50 of the NDPS Act. Similarly situated other accused persons have already been granted bail by another co-ordinate Bench of this Court and this Bench vide order dated 18.05.2023 and 05.07.2023 passed in Cr. Misc. No. 24374 of 2023 and 6896 of 2023 respectively. It is also submitted that petitioner is languishing in judicial custody since 28.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kanti P.S. Case No. 816 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS, Muzaffarpur.

(Sunil Kumar Panwar, J)

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