

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40269 of 2022**

Arising Out of PS. Case No.-41 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Mithlesh Kumar @ Mithilesh Kumar Sah @ Mithilesh Kumar Son Of Govind  
Prasad Sah Resident Of Village - Naua Gadhi, P.S.- Muffasil, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumar Kamal Nayan  
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

3      04-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks regular bail in connection with  
Sultanganj P.S. Case No. 41 of 2022 registered for the offence  
under Sections 20/22 of N.D.P.S. Act.

The allegation against the petitioner is to have in  
possession of contraband/narcotics total weight of 21 Kg along  
with other co-accused persons.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. It is further  
submitted vide para 21 of the petition that the petitioner is  
brother-in-law of co-accused Diwakar Mandol and his house is  
situated near the house of main accused Akash Mandol due to  
which he has been made accused in this present case. It appears



from the seizure list that alleged recovery of contraband/ narcotics was made from the house of co-accused Akash Mandol, which is not connected in any manner with this petitioner. Petitioner has got no criminal antecedent. Similarly situated co-accused namely, Diwakar Mandol has already been granted bail by a co-ordinate bench of this court vide order dated 21.12.2022 in in Cr. Misc. No. 41205 of 2022. The petitioner is languishing in judicial custody since 17.2.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sultanganj P.S. Case No. 41 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3<sup>rd</sup> Additional Sessions Judge-cum-Special Judge (SC/ST Act) Bhagalpur.

**(Sunil Kumar Panwar, J)**

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