

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48234 of 2023

Arising Out of PS. Case No.-497 Year-2023 Thana- GAYA MUFASIL District- Gaya

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Mannu Kumar @ Manish Kumar Son Of Raju Ram Resident Of Village -
Tailbigha Domtoli, P.S. - Kotwali, District - Gaya And At The Original
Permanent Address - Rang Bahadur Road, Murli Hall, P.S. - Kotwali, District
- Gaya

... .. Petitioner

Versus

The State Of Bihar, Patna

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Muffasil P.S. Case no. 497 of 2023 registered under sections 8(c) and 21(c) of the NDPS Act.

3. As per the prosecution case, while three persons were going in a motorcycle, on being stopped for checking two of them escaped while one Vivek Kumar was arrested from whose possession one kilogram of brown sugar was recovered. The said co-accused Vivek Kumar disclosed that it was Sonu Kumar who had given him the brown sugar for sale and the petitioner was amongst the persons who had escaped.

4. It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and concocted. The petitioner has been made accused on the basis of



the statement of the co-accused made before the police. Neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his conscious possession. He has no criminal antecedent and is in custody since 12.5.2023. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of the allegation, the name of the petitioner transpiring in the statement of the co-accused made before the police, no incriminating article having been recovered from the petitioner's possession, charge-sheet having been submitted and the petitioner having remained in custody since 12.5.2023, the Court directs the petitioner to be enlarged on bail in connection with Muffasil P.S. Case no. 497 of 2023 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 District & Sessions Judge-Cum-Special Judge N.D.P.S. Act, Gaya.

(Partha Sarthy, J)

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