

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58291 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- NAGAR District- Vaishali

MANISH KUMAR @ SUBODH Son of Late Arun Yadav R/V- Naya Tola
Juraoganj, P.S- Kodha Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with NDPS Case No. 10 of 2022, arising out of Hajipur Town P.S. Case No. 152 of 2022, registered for the offence punishable under Sections 8, 20(b), (ii)(C), 25, 29 of the NDPS Act.

The police force was on patrolling duty and during the course thereof, on the alleged date and time of occurrence, it had apprehended the petitioner and one other co-accused person and from their possession, illicit arms were recovered, leading to lodging of Hajipur Town P.S. Case No.



151 of 2022. Upon interrogation, the petitioner and the other co-accused persons had disclosed about the complicity of one Dina Rai, whereafter the police force had conducted a raid on his house and arrested two co-accused persons, namely, Rahul Kumar Banjara and Aniket Kumar and on search, 11.831 kg. of ganja as also huge cash amount was recovered. It is also alleged that the arrested two co-accused persons had disclosed that the petitioner also used to stay in the house of the said Dina Rai as a tenant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 13.4.2022. It is submitted that only after the petitioner was arrested in the aforesaid Hajipur Town P.S. Case No. 151 of 2022, he has been remanded in all other cases and as far as the present case is concerned, there is no recovery of any narcotic substance from the petitioner.

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 petitioner and taking into account the materials on record as also considering the fact that no narcotic substance has been recovered from the possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Vaishali at Hajipur in connection with N.D.P.S. Case No. 10 of 2022 arising out of Hajipur Town P.S. Case No. 152 of 2022.

(Mohit Kumar Shah, J)

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