

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63548 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- DANDKHORA District- Katihar

Vijay Kumar Mandal S/O Chandar Mandal R/O Village- Chhoti Parbatta, P.S-
Ismailpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The Union of India, through the Director N.D.P.S. Govt. of India
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Dr. K.N. Singh (ASG)
Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
ASG for the Union of India and learned APP for the State.

2. The petitioner seeks bail in a case registered under
Sections 20/22 of the Narcotic Drugs and Psychotropic
Substances Act.

3. The prosecution case, in short, is that on
04.07.2023, the Informant was on duty and during that course,
he apprehended five miscreants including the present petitioner.
On search, 9.300 Kg. Ganja was recovered.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 05.07.2023 and has got no
criminal antecedent. Charge-sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of



witnesses alleged against the petitioner in the present case. The petitioner has falsely been implicated in the present case. It is alleged that 9.300 Kg. Ganja is recovered. Same is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with NDPS Case No. 30 of 2023 arising out of Dandkhora P.S. Case No. 67 of 2023.

(Sudhir Singh, J)

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