

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67483 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- KOTWALI District- Munger

Dharam Mandal @ Dharmdev Mandal S/O Late Mehta Mandal R/O Mohalla
- Sitakund Dih, P.S. - Mufassil, Distt. - Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8/20 (b)(ii)(B), 25 and
29 of the N.D.P.S. Act.

3. As per prosecution case, on secret information
received, police party started checking the vehicle and on search
there has been recovery of 3.159 Kg *Ganja* from the possession
of the other co-accused persons.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
The name of the petitioner has come into light, on the basis of
confessional statements of co-accused, who apprehended on



spot, which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 05.05.2023.

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

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Munger in connection with Kotwali P.S. Case No. 40 of 2023.

(Sunil Kumar Panwar, J)

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