

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68024 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- SULTANGANJ District- Bhagalpur

BOTAL MANDAL S/o Late Nemi Mandal R/o Village- Maheshi, P.S.-
Sultanganj, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Ranjeet Kumar Singh
For the Opposite Party/s	:	Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 20 and 22 of NDPS
Act.

Prosecution case relates to recovery of 21 kg. Ganja
like substance kept in a metal box from the joint house of the
petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. For the said recovery, petitioner and his son both were
implicated in this case. Police has not complied the mandatory
provision of Section 50 of the NDPS Act. Allegedly, recovery of



21 kg. Ganja like substance has to be shown from the joint house of the petitioner but the corner from where the same is recovered comes in the portion of petitioner's son share. Petitioner has no concern with the alleged recovery. He has been falsely implicated in this case. Petitioner has no criminal antecedent and he is languishing in judicial custody since 18.3.2022.

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

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 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 III Additional Sessions Judge-cum-Special Judge (SC/ST) Act, Bhagalpur in connection with Sultanganj P.S. Case No. 69 of 2022.

(Sunil Kumar Panwar, J)

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