

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73815 of 2022**

Arising Out of PS. Case No.-414 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Sanjay Mandal @ Sanjay Kumar Mandal, S/O Nawal Mandal, R/O Village-
Jageria, P.S.- Shahkund, Distt- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 15-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 21(b) and 22 of

N.D.P.S. Act.

As per the allegation in F.I.R, 5.14 grams of

Brown Sugar (Smack) like narcotics substance has been

recovered from the possession of the petitioner.

It is submitted by learned counsel for the

petitioner that the petitioner is innocent and he has



falsely been implicated in the present case due to high handedness of the police official. There is no independent witness of alleged seizure. Charge-sheet has already been submitted in this case without the report of F.S.L., which creates doubt over the prosecution version of the case. The alleged recovered Smack like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. The petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 27.05.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Kotwali (Jogsar) P.S. Case No. 414 of 2022 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 Session
Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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