

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4981 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- FULKAHA District- Araria

Manoj Kumar Mehta, aged about 24 years, Male, S/O Fani Lal Koyri, R/O Village- Diwanganj, Ward No. 03, P.S. Diwanganj, Dist. Sunsari (Nepal).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Rana, Advocate

For the Opposite Party : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 06-05-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Fulkaha P.S. Case No. 141 of 2023 dated 17.10.2023 registered for the offences punishable under Sections 8, 20(b)(ii) (B) of the N.D.P.S. Act.

3. As per the prosecution case, 5 kgs., Ganja is said to have been recovered from the bag of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that neither the informant nor any member of patrolling party apprehended the petitioner rather he was apprehended by the civilian of Koshikapur village and on



this information, the informant alongwith the patrolling party went there and apprehended the petitioner. There is no compliance of Section 50 of the N.D.P.S. Act. It is further submitted that the seized contraband is less than commercial quantity The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions-cum-Special Judge, N.D.P.S. Act, Araria, in connection with Fulkaha P.S. Case No. 141 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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