

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9062 of 2024

Arising Out of PS. Case No.-64 Year-2023 Thana- KHAJALI District- Madhubani

Manoj Kumar Son of late Tirpit Mandal Resident of Village-Shirayapur, P.S.-
Basopatti, Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khajauli P.S. Case No. 64 of 2023 instituted for the offences
under Section 20/22 of the N.D.P.S. Act.

3. As per prosecution case, the police arrested three
accused persons including petitioner from motorcycle and on
search, total 5.5 Kg. of *Ganja* was recovered from the bag of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The quantity of *Ganja* recovered is less than 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
Section 42 and 50 of the N.D.P.S. Act. The petitioner has no



criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 08.04.2023. Charge-sheet has been submitted in this case. He further submits that the co-accused Randhir Mandal and Anuj Kumar have been granted bail by a Co-ordinate Bench of this Court vide orders dated 14.07.2023 and 30.08.2023 passed in Cr. Misc. Nos. 41161 of 2023 and 54864 of 2023 respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Khajauli P.S. Case No. 64 of 2023 .

(Rudra Prakash Mishra, J)

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