

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54999 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Manoj Kumar @ Manoj Kumar Kharwar @ Manoj Kharwar Son Of Surendra Singh @ Surendra Resident Of Village - Semra, P.S. - Chainpur, Dist - Kaimur (BHABUA) At Present At Vill - Padari, P.S. - Rajpur, Dist - Sonbhadra (U.P.)

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Adv
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. Case Reg. No. 28 of 2020 arising out of Bhabua Excise P.S. Case No. 155 of 2024 dated 23.02.2024 registered for the offence/s punishable u/ss 20(b)(ii) (a) & 22 (A) of the NDPS Act.

3. As per the prosecution case, total 8 kg. Ganja was recovered from the possession of the petitioner while he was sitting in the Tempo with the other co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is the driver of the said vehicle. The said contraband is less than the commercial quantity. Similarly situated co-accused has already been granted bail by this court *vide* order dated 01.08.2024 passed in Cr. Misc. No. 52869 of 2024. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.02.2024.

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 Court concerned, Kaimur at Bhabua in connection with N.D.P.S. Case Reg. No. 28 of 2020 arising out of Bhabua Excise P.S. Case No. 155 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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