

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53169 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- BIRPUR District- Supaul

Umesh Kumar @ Umesh Mandal Son of Rajendra Mandal @ Suren Mandal
R/O Vill.- Raniganj, Shivnagar, Bhimnagar, P.s.- Birpur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 53904 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- BIRPUR District- Supaul

Abhinandan Yadav S/o Mahendra Rohita @ Mahendra Yadav @ Mahandra
Rohit R/o vill - Lalpur, ward no. 12, Bhimnagar, P.S. - Birpur, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 53169 of 2024)
For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Tapeshwar Sharma
(In CRIMINAL MISCELLANEOUS No. 53904 of 2024)
For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in
connection with Birpur(Bhimnagar O.P.) P.S. Case No. 288 of
2023 registered under sections 8/20 (b)(ii) (c) of the N.D.P.S.
Act.



Prosecution case relates to recovery of 50 kgs of ganja like narcotics substance from the possession of one co-accused Mukesh Kumar. He disclosed the name of the petitioners who are alleged to have fled from the place of occurrence.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Ganja like narcotics substance has not been recovered from their conscious possession and also they were not apprehended on spot. They have no concern with the alleged recovery of ganja rather the recovery of ganja is from co-accused Mukesh Kumar who apprehended on spot and he confessed the name of the petitioners. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 06.02.2024 in Cr. Misc. No. 4576 of 2024. Moreover, the petitioners are languishing in judicial custody since 21.05.2024 and 28.02.2024 respectively.

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 this case as well as the custody of the petitioners, the Court is inclined to enlarge



the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Birpur (Bhimnagar O.P.) P.S. Case No. 288 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Supaul.

(Sunil Kumar Panwar, J)

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