

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52601 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- PURAINI District- Madhepura

1. Arun Mandal Son Of Late Sitabi Mandal Vill Bhatauni Ward No. 05, Ps Puraini Dist- Madhepura
2. Mithilesh Mandal @ Mithilesh Kumar Son Of Arun Mandal Vill Bhatauni Ward No. 05, Ps Puraini Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Puraini P.S. Case No. 33 of 2023, dated 13.02.2023, registered for the offences punishable under sections 8/20(b)(ii)(c) of the N.D.P.S. Act.

3. As per the prosecution case, total 194.350 Kg. of ganja was recovered from the ambulance.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. It is further stated that there is no allegation of keeping/selling of ganja as alleged against the petitioners. The name of the petitioners has transpired on the basis of



confessional statement of the apprehended co-accused persons. The petitioners are not caught on the spot. The petitioners are daily wage worker. The said vehicle does not belong to the petitioners. No incriminating article has been recovered from the conscious possession of the petitioners.

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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura in connection with Puraini P.S. Case No. 33 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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