

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57227 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- ISLAMPUR District- Nalanda

Manglu Das @ Mangalu Kewat Son of Late Gopal Das R/o Village- Medhi,
P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar. Adv.

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Islampur P.S. Case No. 189 of 2024 instituted for the offences
under Sections 8/20B,IIB, 25 of the N.D.P.S. Act.

3. Prosecution case, in short, is that 2.800 Kg. *ganja*
has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is in custody since 27.04.2024 and has no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. No incriminating material has
been recovered from the conscious possession of the petitioner.



The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the recovered contraband being less than commercial quantity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Islampur P.S. Case No. 189 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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