

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58568 of 2024

Arising Out of PS. Case No.-209 Year-2022 Thana- KURSAILA District- Katihar

Vikram Kumar Mandal Son of Mahendra Mandal R/O Nababganj, Basa Tola,
P.S.- Kursela, Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kursela P.S. Case No. 209 of 2022 dated 25.10.2022, lodged under Sections 20 and 22 of the NDPS Act, pending before the learned Sessions Judge, Katihar.

3. As per the prosecution story, FIR has been lodged against seven named accused persons including the present petitioner. Total 42.300 kg of *ganja* has been recovered which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the name of the petitioner has been figured in this case only by virtue of the confessional statement of the co-



accused. Counsel further submits that the petitioner has unnecessarily been made accused in this case. Counsel submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the recovered *ganja* is more than the commercial quantity.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. It is directed to the petitioner to surrender before the learned Court below within a period of six weeks from today. In case, the petitioner surrendered within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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