

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.801 of 2024

Arising Out of PS. Case No.-105 Year-2022 Thana- BAUNSI District- Banka

Sanjay Mandal S/O Rashiklal Mandal R/O Village- Kurshela Nababganj
Dharmahi Tola, P.S- Kurshela, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Bounsi P.S. Case No. 105 of 2022 dated 14.05.2022 registered for the offences punishable u/ss 8/20 (b)(ii) (c), 25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, 4 Kg. ganja was recovered from the shop of the co-accused, Vishnu Dev Jha and from the house of his daughter, 86.830 Kg. ganja was also recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Vishnu Dev Jha. It is further



submitted that the petitioner has no concern with the alleged recovery rather the recovery has been made from the shop of the co-accused, Vishnu Dev Jha and from the house of his daughter. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned court concerned, Banka in connection with Bounsi P.S. Case No. 105 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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