

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5372 of 2024

Arising Out of PS. Case No.-975 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Sanjay Kumar @ Mannu, aged about 30 years, Male Son of Sri Sita Ram Mehta, Resident of Village- Jaimangla, P.S.- K. Nagar, (Champanagar), District- Purnea.
2. Mohit Raj, aged about 18 years, Male Son of Sri Braj Kishor Mehta, Resident of Village- Jagani B, P.S.- K. Nagar, (Champanagar), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla,, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Special NDPS Case No. 106 of 2023/CIS No. 106 of 2023 arising out of K. Hat (Maranga) P.S. Case No. 975 of 2023 instituted for the offences punishable under Sections 8 (c) and 21(b) of the NDPS Act.

3. As per the prosecution case, the allegation is of recovery of 15 gm Brown Sugar (Smack).

4. Learned counsel for the petitioners submits that the petitioners are innocent and has committed no offence and has falsely been implicated in this case on the basis of



suspicion. From perusal of the case diary, FIR, seizure list and the bail rejection order of the learned 5th Additional Sessions Judge, Purnea dated 06.12.2023, it appears that the name of the petitioners surfaced on the confessional statement of co-accused Abhishek Anand. No recovery have been made against these petitioners. Petitioners are in custody since 20.08.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS Act, Purnea in connection with Special NDPS Case No. 106 of 2023/CIS No. 106 of 2023 arising out of K. Hat (Maranga) PS Case No. 975 of 2023.

7. However, the trial Court is directed to conclude the proceeding of *framing of charge* according to law within a period of one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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