

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.254 of 2024

Arising Out of PS. Case No.-976 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Sanjay Kumar @ Mannu son of Sri Sita Ram Mehta resident of village - Jaimangla, P.S. - K. Nagar (Champangar), District - Purnea.
2. Mohit Raj 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 Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-01-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Special NDPS Case no.111 of 2023/CIS no.111 of 2023 (arising out of K. Hat (Sahayak) P.S. Case no.976 of 2023) registered under sections 8(c) and 21(b) of the NDPS Act.

3. As per the prosecution case, on information having been received, a raid was conducted and it is stated that 44.9 grams of smack was recovered and the three accused persons including the two petitioners herein were taken into custody. Rs.30,000/ in cash was also recovered.

4. Learned counsel for the petitioners submits that



the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their possession. The alleged recovery is below the commercial quantity. The petitioners are in custody since 20.8.2023 and chargesheet has been submitted in the case. For the same occurrence, one another FIR being K.Hat (Maranga) P.S. Case no.975 of 2023 was also registered. They have no other case against them.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners and recovery of 44.9 grams of smack from the room wherein the two petitioners were also arrested, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

(Partha Sarthy, J)

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