

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26220 of 2025

Arising Out of PS. Case No.-67 Year-2024 Thana- Bathnaha District- Araria

Manjeet Kumar @ Manjit Kumar Mandal S/O Bechan Mandal R/O Vill.-
Kochgama, P.S.- Bathnaha, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bathnaha P.S. Case No. 67 of 2024 registered for the alleged offences under Sections 8/20(b)(ii)(B) of N.D.P.S. Act.

03. As per prosecution case, the informant received information about movement of a suspicious vehicle and special patrolling party was constituted and the said vehicle was signaled to stop. The driver of the said vehicle tried to flee away with the vehicle, but the said vehicle was intercepted and the driver was apprehended. One person fled away from the vehicle. On search of the vehicle, recovery of 17.5 kg *Ganja* was made from the dickey of the vehicle and a mobile phone was also



seized. The apprehended co-accused disclosed the name of the petitioner, who fled away from the spot and owned the vehicle.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The petitioner is the owner of the seized vehicle but the co-accused, Sahdev Kumar Yadav, used to operate the vehicle and the petitioner has no knowledge about *Ganja* being transported by his vehicle. The petitioner was not present in the vehicle and the police has made a false accusation against the petitioner. Moreover, recovery of *Ganja* is less than the commercial quantity. Learned counsel further submits that co-accused, Sahdev Kumar Yadav, who was apprehended with *Ganja*, has been granted bail by a Co-ordinate Bench of this Court vide order dated 28.10.2024 passed in Criminal Misc. No. 74436 of 2024. The case of the petitioner is on much better footing. The petitioner is in custody since 24.12.2024 and charge-sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the



petitioner is the owner of the vehicle on which recovery of 17.05 kg *Ganja* and he fled away from the spot when the SSB patrolling tried to nab him.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery of any incriminating article has been shown from him and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to 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 learned Principal District & Sessions Judge, Araria/court concerned in connection with Bathnaha P.S. Case No. 67 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail



bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

