

IN THE COURT OF SESSIONS JUDGE CUM SPECIAL-
JUDGE(N.D.P.S.ACT) GAYA.

I.A. No-01/19

N.D.P.S. Case No-30/19

Krishna Manjhi @ Krishna Bhuiyan Vs. State of Bihar

O R D E R

Later on

2-8-2019

The present order relates to the bail petition filed on behalf of the accused/petitioner Krishna Manjhi @ Krishna Bhuiyan ,who is in custody since 18-3-19 in connection with Barachatty P.S. Case No-131/19 under sections 20/22 N.D.P.S.Act.

A.S.I. Munna Kumar got a confidential information that petitioner Krishana Manjhi and other co-accused persons Sudama Yadav and Narayan Yadav are indulged in illegal sale and purchase of “GANJA AND AFIM”. The raiding party reached the house of Krishana Manjhi . His house was searched in presence of 2 independent witnesses namely Arjun Manjhi and Bajrangi Manjhi . The petitioner attempted to flee away but was nabbed by the police personnels. 4 Kilograms Ganja was recovered from his house and seizurelist was prepared and also sampling done. Again, the police party proceeded to the house of co-accused Sudama Yadav and Narayan Yadav and recovered 6.5 Kilograms of liquid opium from his house and it was also sealed and sampled in the presence of witnesses.

The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated in this case. There is no independent witness except the members of raiding party and he bears clean antecedent and evident from paragraph No-50 of case diary.

On the other hand, the learned Special P.P. has opposed the prayer for bail by submitting that 4 (four)kilograms of Ganja was recovered from the house of petitioner . He was arrested at the spot . On asking by the police

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party, he disclosed that the material recovered was Ganja . In paragraph No-14, 15, 16 and 17, the witnesses have fully supported the prosecution case and chagesheet has also been filed against the petitioner.

Considering the facts and circumstances that 4 (four) Kilograms of Ganja was recovered from the house of petitioner, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is hereby rejected.

(Dictated)

Sd/=

(N.K. Pandey)

Sessions Judge Cum Special Judge-

(N.D.P.S.Act), GAYA .

2-8-2019