

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37024 of 2016**

Arising Out of PS.Case No. -12 Year- 2016 Thana -SAMASTIPUR GRP CASE District-  
SAMASTIPUR

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1. Rajesh Mahto, Son of Devan Mahto, Resident of Musapur, Nonia Tola,  
P.S. Muffasil, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
ORAL ORDER

2      30-08-2016      Heard learned counsel for the petitioner and the  
State.

Petitioner is languishing in custody since  
12.03.2016 in a case registered for the offences punishable  
under Sections 20, 22 of the Narcotics Drugs and  
Psychotropic Substances Act.

The prosecution case is that on secret  
information that one person was administering intoxicating  
to the passengers, raid was made in the tea shop of the  
petitioner. From possession of the petitioner Rs. 150/- cash,



Green Card of S.B.I., four S.I.M. Cards, one knife, blades and 10 sedative tablets namely Esopam Plus were recovered.

It is submitted by the learned counsel for the petitioner that even assuming the accusation no offence under Sections 20 and 22 of the Narcotics Drugs and Psychotropic Substances Act is made out against the petitioner. There is no accusation of administering Esopam Plus tablet to any one. Though, petitioner is accused in two cases being Samastipur Rail P.S. Case No. 49 of 2010, registered under Sections 328, 307, 379, 411/34 of the Indian Penal Code, wherein the petitioner has been convicted and suffered the sentence. Another case is Samastipur Rail P.S. Case No. 07 of 2016, registered under Sections 20, 22 of the Narcotics Drugs and Psychotropic Substances Act in which the petitioner is on bail.

Learned A.P.P. Mr. J.N. Thakur, does not dispute that only 10 tablets of Esopam along with knife, mobile and S.I.M. cards were recovered from the possession of the petitioner.

Considering the nature of accusation and investigation being concluded, let the above named petitioner, 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 Ist Additional District &  
Sessions Judge, Samastipur in connection with Samastipur  
Rail P.S. Case No. 12 of 2016.

**(Dinesh Kumar Singh, J)**

P.K./-

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