

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10736 of 2017**

Arising Out of PS.Case No. -62 Year- 2016 Thana -SAMSTIPUR RAIL P.S District-  
SAMASTIPUR

=====

Ram Chandra Mahto, S/o Doman Mahto, Resident of Village- Barmoter,  
Police Station- Gadhpura, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

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4      10-05-2017      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Samastipur  
Rail P.S. Case No.62 of 2016 registered under Sections 20 and 22  
of the N.D.P.S. Act.

The accusation is that on receiving secret information  
about carrying “Ganja” by the smuggler for Haryana boarding on  
the first train at Shashan Railway Halt, the police reached in the  
morning of 18.10.2016 at Shashan Railway Halt and raided  
Passenger Train No.55566 in which one lady and one gent were  
found sitting with a plastic bag. On search of the plastic bag in  
which flour was also kept , a packet wrapped with plastic was



recovered. On opening of the packet wrapped with plastic, 5 kilograms “Ganja” was recovered. On query, the gent disclosed his name as Ram Chandra Mahto (petitioner) and the lady disclosed her name as Indu Devi, the wife of Ram Chandra Mahto (petitioner), and both stated that the “Ganja” is being carried for Samastipur. On search, two general railway tickets from Shashan to Samastipur and two reserved railway tickets from Samastipur to Kuruchhetra were recovered from their possession.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the uncared plastic bag was recovered by the police from the bogie of the passenger train in which the petitioner and his wife were found sitting, who were going to Samastipur, where they used to sell the vegetables but, on suspicion, both have falsely been implicated in this case. Further submission is that the petitioner having no criminal antecedent is in custody since 19.10.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1<sup>st</sup> Additional Sessions Judge, Samastipur, in connection with Samastipur Rail P.S. Case No.62 of 2016 (N.D.P.S. Case No.05 of



2016/51 of 2016). Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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