

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15054 of 2019**

Arising Out of PS. Case No.-17 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.  
District- Patna

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RAJA RAM MAHTO, Son of Raso Mahto, Resident of Village - Sitarampur,  
P.S. - Matihani, District - Begusarai

... .. Petitioner/s

Versus

THE DY. DIRECTOR, NARCOTICS CONTROL BUREAU, KARPURI  
THAKUR SADAN, RAJIV NAGAR, PATNA, PIN - 800025 BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Dr. Amrendra Kumar, Advocate

For the Union of India : Sri Rama Kant Sharma, Sr. Advocate

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      15-05-2019                      Heard learned counsel for the petitioner and learned  
Senior Counsel for the Union of India.

Petitioner seeks bail in a case registered for the offences  
punishable under Sections 8(c), 20(b)(ii)(c) of the Narcotic Drugs  
and Psychotropic Substances Act, 1985.

From a truck 300 Kg. of *ganza* was recovered. The  
driver disclosed that the same was to be supplied to the person  
whose mobile number was provided to him. The driver called the  
said person on the said mobile, thereafter, five persons reached  
there and all the five persons were arrested by the police including  
the petitioner. Petitioner stated before the police that co-accused  
Raja Ram Mahto called him on telephone that *ganza* has come on  
a truck and if we all will go to receive the same, we will get a good  
income.

Learned counsel for the petitioner submits that only on



suspicion, the petitioner has been implicated in this case. Petitioner has got no criminal antecedent. He is in custody since 16.09.2017.

Sri Rama Kant Sharma, learned Senior Counsel for the Union of India opposed the prayer for bail on the basis of confessional statement of co-accused as well as the petitioner and submits that the said confession is admissible in the eyes of law.

Considering the nature of allegation against the petitioner and period already undergone, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No. 136 of 2017 arising out of F. No. NCB/PZU/V/17/2017, with the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below having immovable property.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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