

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27696 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- BALIYA District- Begusarai

AMRESH MAHTON S/o Sulen @ Sulena Mahton R/o village- Mattu Nagar,
P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 26-06-2019

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **N.D.P.S. 1(A) of 2017**
arising out of Ballia P.S. Case No. 19 of 2017, instituted for the
offence under Section(s) 8, 20(b)(ii)C, 25 and 29 of N.D.P.S Act.

It is alleged in the written report that informant got information that some accused persons are bringing *Ganja* from Orissa and other places. The informant along with other Police personnel reached at *Bariarpur Dhala* and saw one Motorcycle coming following one Marshal Jeep. They signalled to stop the Motorcycle, but driver fled away leaving the Motorcycle. Police intercepted Marshal Jeep in which three persons namely, Rahul Kumar, Rohit Kumar and Fultus Kumar found sitting. They were apprehended by Police. It is further alleged that on search 110 Kg. *Ganja* kept in different plastic packets have been recovered from the Marshal Jeep. The apprehended persons disclosed before the Police that alleged *Ganja* was being brought by them from Orissa. They



further disclosed that Sudhir Mahto, Dhiren Mahto, Sanni Mahto and Sanjay Mahto as named in the written report had brought the vehicle up-to Sainik Hotel Khagaria.

Counsel for the petitioner submits that co-accused with similar allegation namely, Fultush Kumar, Dhiren Mahton and Sanni Mahton have already been granted bail by coordinate Benches of this Court vide orders dated 16.5.2018 and 22.11.2018 passed in Cr. Misc. 29479 of 2018 and 67044 of 2018 respectively. There is no recovery of Ganja from conscious possession of petitioner. The name of petitioner has been disclosed by accused who have been apprehended by Police.

Petitioner is in custody since 6.2.2019.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Sessions Judge, Begusarai**, in connection with **N.D.P.S. 1(A) of 2017 arising out of Ballia P.S. Case No. 19 of 2017**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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