

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18995 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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VINOD MAHTO Son of Late Sahdeo Mahto Resident of Village - Bojop
Bharo, Ward No.10, P.S.- and Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vinod Kumar
For the Opposite Party/s :	Mr.Ram Sumiran Rai
	Mr. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with C2-01 of 2020, registered for the offence punishable under Section 20(b) of the NDPS Act.

The case of the prosecution in brief is that upon a secret information received by the police, a raid was conducted at the alleged place of occurrence at the alleged date and time, whereafter 400 grams of ganja was recovered and the petitioner



was arrested.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 21.1.2020. It is further submitted that the quantity of ganja recovered from the spot is less than the small quantity defined in the table to the NDPS Act, 1985, hence, benefit of doubt can be given to the petitioner for the purposes of grant of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the fact that the quantity of ganja seized is less than the small quantity i.e. 1000 grams, as defined in the table to the NDPS Act, 1985 apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since 21.1.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Sitmarhi in connection with C2-1 of 2020.

(Mohit Kumar Shah, J)

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