

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25585 of 2022

Arising Out of PS. Case No.-917 Year-2021 Thana- PHULWARISHARIF District- Patna

RAMJEE MAHTO @ RAM JIVAN MAHTO S/o Late Hari Narayan Mahto
R/o village- Tamtam Parab, P.S.- Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the State : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 20, 21(b), 22,
27 of the NDPS Act.

As per the prosecution case, the accused Raj Kumar
Chaudhary was caught and on search 18 *Puriyas* containing
about 18 gram of Brown Sugar is said to have been recovered
from him. It is further stated that the seized article belonged to
the petitioner and it was on the petitioner's instruction that he
was selling the same.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case.
Neither the petitioner was arrested at the spot nor any



incriminating article has been recovered form his possession.
The petitioner is in custody since 6.12.2021 and chargesheet has
been submitted in the case.

Having heard learned counsel for the parties and taking
into consideration the nature of allegation, the petitioner not
having been arrested at the spot, no incriminating article having
been recovered from the petitioner's possession and
chargesheet having been submitted in the case, the petitioner is
directed to be enlarged on bail in connection with Special Case
No. 166 of 2021 (arising out of Phulwarisharif P.S. Case no. 917
of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the learned Additional Sessions Judge-IV -cum-
Special Judge NDPS Act, Patna.

(Partha Sarthy, J)

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