

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27531 of 2022

Arising Out of PS. Case No.-269 Year-2021 Thana- LAUKAHA District- Madhubani

Lalit Narayan Mahto Son Of Jaleshwar Mahto Resident Of Village-
Majhaura, Gawapalika Jhajha Patti, P.S- Navrajpur, Dist- Sirha (NEPAL)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 20(b)(ii)
(c)/23 of the NDPS Act in connection with Laukha (Lalmunia)
P.S. Case No. 269 of 2021.

As per the allegation in the FIR, the SSB Personnel
on patrolling saw one unknown person standing near a
motorcycle with bag, the same was intercepted and the bag was
seized and on search 2.5 kgs. 'Ganja' was recovered/seized. The
petitioner Lalit Narayan Mahto was accordingly taken into
custody.

Learned counsel for the petitioner submits that



only because of suspicion as he was standing near the motorcycle, he was arrested from the spot despite the fact that he has no criminal antecedent. He further submits that the alleged recovery is much below the commercial quantity. He is in custody since 16.8.2021 (as stated in para-11 of the bail application)

Taking into account the aforesaid facts that he has no criminal antecedent, the charge-sheet stands submitted and he is in custody since 16.8.2021, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge, Madhubani, in connection with Laukha (Lalmania OP) P.S. Case No. 269 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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