

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37470 of 2022**

Arising Out of PS. Case No.-230 Year-2018 Thana- KHAGARIA District- Khagaria

SAMOLI MAHTON @ SAMOLI MAHTO @ SAMOLI KUMAR SON OF  
MUNSO MAHTO R/O VILLAGE- TELNI, P.S.- BITHAN, DISTRICT-  
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Pd.Singh, Sr. Advocate and  
Mr. Ranjit Kumar Yadav, Advocate  
Mr. Vinay Kr.Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      17-11-2022                      Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the offences punishable under Sections 8, 20(b)(ii)(c), 25 and 29 of the NDPS Act.

As per the prosecution case, there is recovery of 1107 kilograms Ganja from a truck and petitioner was named by the accused persons apprehended with the said truck.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner's name has figured during course of investigation in confessional statement of co-accused. It is



stated in paragraph 3 of the bail petition that the petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that petitioner is named in the FIR and more than commercial quantity of Ganja has been recovered from the accused persons.

Considering the quantity of recovery, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

**(Prabhat Kumar Singh, J)**

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