

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61095 of 2021

Arising Out of PS. Case No.-229 Year-2021 Thana- SURSAND District- Sitamarhi

VINOD MAHTO Son of Kapur Chand Mahto Resident of Village - Mahadeo
Patti, Ward No.- 7, P.S.- Jaleshwar, District - Mahotari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Sursand P.S. Case No. 229 of 2021 (G.R. No. 8 of 2021), registered for the offence punishable under Sections 8/20(b) (ii)(B) of the Narcotics Drugs and Psychotropic Substances Act.

The allegation is regarding recovery of 12.700 kg. of ganja from the petitioner at Nepal border.

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 15.5.2021. The learned counsel for the petitioner has further submitted that the quantity of ganja recovered from the possession of the petitioner is much less than the commercial quantity prescribed in the schedule notified under the provisions of the NDPS Act, 1985, hence, there is no impediment in grant of bail to the petitioner.

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 and taking into account the materials available on record as also considering the fact that the quantity of ganja recovered from the possession of the petitioner is much less than the commercial quantity specified in the schedule notified under the provisions of the NDPS Act, 1985, apart from the fact that the



petitioner is having a clean antecedent, 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 (NDPS), Sitamarhi in connection with Sursand P.S. Case No. 229 of 2021.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

