

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67391 of 2021**

Arising Out of PS. Case No.-219 Year-2021 Thana- SONBERSA District- Sitamarhi

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RAM NATH MAHTO Son of Late Dev Narayan Mahto Resident of Village-
Sonbarsa, Police Station- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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

3 15-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 8(C), 20(b) (ii)/(C), 27(A)/ 29 of the NDPS Act and Section 25(1-B)a, 26, 35 of the Arms Act.

As per prosecution case, total 94.400 liters of cough syrup has been recovered from the shop of this petitioner which was given on rent.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from conscious possession of the petitioner or his premises. Petitioner has been made accused only because he is owner of shop which was



given on rent to co-accused, Awanish Kumar, who has already been granted anticipatory bail by a co-ordinate Bench of this court vide order dated 12.09.2022 passed in Cr. Misc. No. 72280/ 2021. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case , let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Sessions Judge- cum-Special Judge, Sitamarhi in connection with Sonbarsa P.S. Case No. 219 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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