

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68495 of 2021**

Arising Out of PS. Case No.-247 Year-2021 Thana- SONBERSA District- Sitamarhi

SHANKAR MAHTO Son of Laxman Mahto Resident of Village - Indrawa,
P.S.- Sonbarsa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 21-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 8 and 20(b)(ii)(a) of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner submits that the
petitioner is in custody since 08.09.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 5 Kg. of Ganja and a
motorcycle along with a mobile from the petitioner.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case.
Petitioner was going to Delhi by bus and there was dispute



relating to fare based on which the conductor of the bus informed the police that perhaps the petitioner is carrying a substance which is akin to Ganja and, accordingly, the police arrived and it is alleged that 5 Kg. Ganja was recovered. Learned counsel further submits that even presuming what has been alleged is true without admitting for the purposes of bail, the alleged recovery, though, is more than small quantity but is much less than commercial quantity and petitioner is a person with clean antecedent. It is submitted that petitioner was implicated on account of dispute which occurred in the bus relating to fare.

At this stage, learned counsel for the petitioner seeks permission to withdraw the bail application.

Permission is accorded with liberty to the petitioner to renew his prayer for bail after framing of charge.

Accordingly, this application is dismissed as withdrawn in connection with Sonbersa P.S. Case No. 247 of 2021 pending in the Court of learned Special Judge (N.D.P.S. Act), Sitamarhi/successor Court.

(Satyavrat Verma, J)

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