

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13500 of 2023

Arising Out of PS. Case No.-83 Year-2022 Thana- MITHANPURA District- Muzaffarpur

Jattu Mahto @ Chhotu S/O Late Jhapasi Mahto R/O Village- Chhoti Pahari
Rasida Chauk, P.S.- Agamkuan, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Union of India Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402 of the Indian Penal Code and Sections 8(c), 20B, (II), (B) of the NDPS Act.

The prosecution case relates to recovery of total 18 sachets of smack like powder and other articles which were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The alleged recovery has to be shown from the pocket of the petitioner which is planted one due to high handedness of the police. It is further submitted that the alleged recovery does not come under the purview of the commercial quantity. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 15.11.2022 passed in Cr. Misc. No. 42763 of 2022. The petitioner has got no criminal antecedent moreover he is languishing in judicial custody since 20.03.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mithanpura P.S. Case No. 83 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District and Sessions
Judge-IIInd, Muzaffarpur.

(Sunil Kumar Panwar, J)

Manish/-

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

