

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17105 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- BARAUNI RAIL P.S. District- Begusarai

1. LALAN MAHTO Son of Suresh Mahto Resident of village - Simriya Ghat Lakki Bind Toli, P.S.- Barauni (Chakiya), District - Begusarai
2. Bipin Kumar @ Bipin Mahto Son of Late Dinesh Mahto Resident of village - Simriya Ghat Lakki Bind Toli, P.S.- Barauni (Chakiya), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prerna Anand
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 414/34 of the IPC and
Section 22 of the N.D.P.S. Act.

As per prosecution case, on secret information
received, police party reached at that place and started checking.
On search there has been recovery of 102 Tablets of Alprax
(Alprazolam 0.5mg) weighing about 0.0510 gm from the
petitioner no. 1 and 165 Tablets of Alprax (Alprazolam 0.25mg)
weighing about 0.04125 from the petitioner no. 2.

It is submitted by learned counsel for the petitioners



that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the petitioners have no concern with the seized Tablets. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case, while preparing the seizure list. He further submitted that petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 28.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge, Begusarai in connection with Barauni Rail P.S. Case No. 426 of 2022.

(Sunil Kumar Panwar, J)

arish/-

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

