

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24708 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- BAISI District- Purnia

Satyendra Mahto Son Of Late Shivjee Mahto R/O Village- Khetapur
Dharmpur, P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Ram Kishor Chaudhary

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 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 8/20(b)(ii) (B) of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of 6 Kilogram ganja which was kept beneath the seat of a public bus bearing Reg No. BR-39PA-3479 upon which the petitioner sat at the time of occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of ganja like narcotic substance and the same is alleged to be 6 kg which does no



come under purview of commercial quantity as per N.D.P.S. Act. Nothing incriminating article has been recovered from conscious possession of the petitioner. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 30.10.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Baisi P.S. Case No. 426 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 Special Judge, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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