

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28842 of 2022

Arising Out of PS. Case No.-413 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

MAHESH KUMAR S/o Chandra Prakash Singh @ Chandra Prakash Mahto
R/o Village- Masarh, P.S.- Udwanthnagar, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 20(b)(ii)(c)
and 29 of the NDPS Act.

As per the prosecution case, while one accused
managed to escape, one of the accused was arrested on the spot
and on search 25 kgs of ganja was recovered from his
possession. The informant states that the accused who was
arrested disclosed that it was the petitioner who had managed to
escape.

It is submitted by learned counsel for the petitioner
the petitioner has been falsely implicated in the case. There is no
material against him except the statement of a co-accused



made before police. Neither was he arrested at the spot nor any incriminating article recovered from his possession. He is in custody since 30.11.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not having been arrested on the spot, his being in custody for 1 year since 30.11.2021, not having any criminal antecedent and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Udwantnagar (Gajrajganj) P.S. Case no 413 of 2021 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 District and Sessions Judge, Bhojpur at Ara.

(Partha Sarthy, J)

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