

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52996 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- SATHI District- West Champaran

DILIP KUMAR @ DILIP MAHATO Son of Late Ramchandra Mahato
Resident of Village-Kharg Pokhariya, Ward No. 02, Misrauli, Police Station-
Chanpatiya, District-West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 20(b)II(B)
of the N.D.P.S. Act.

3. According to the prosecution case, the petitioner is
said to have been apprehended by police team with a motorcycle
from where, total 19.5 kg ganja like contraband substance was
recovered.

4. 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 19.5 kg which does not come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. It is further submitted that the petitioner is languishing in judicial custody since 19.12.2022.

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

6. 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 Sathi P.S. Case No. 198 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 4th Additional Sessions Judge, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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