

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74005 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- JAYNAGAR District- Madhubani

Umesh Kumar @ Umesh Kumar Mahto Son Of Late Yugeshwar Mahto
Village Bentauha, Ward No. 8, Ps- Jainagar, Dist- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2023 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 section 414 of the I.P.C. and sections 08, 21, 22 of the N.D.P.S. Act.

3. Prosecution case relates to recovery of Rs. 77,830/- of Nepali currency and 72 gram brown sugar like substance from the house of this petitioner.

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 brown sugar like narcotic substance and the same is alleged to be 72 gram 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.PS. Act has not been followed by the prosecution. It is further submitted that the petitioner is languishing in judicial custody since 13.4.2023.

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 Jainagar P.S. Case No. 152 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Madhubani.

(Sunil Kumar Panwar, J)

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