

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75069 of 2022

Arising Out of PS. Case No.-864 Year-2022 Thana- BARACHATTI District- Gaya

JITENDRA KUMAR MAHTO Son of Budhan Mahto @ Budhan Prasad
Resident of Village- Dhanawan, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Barachatti P.S. Case No. 864 of 2022,
registered for the offences punishable under Sections 18/20/22
of the N.D.P.S. Act, 1985.

As per allegation, villagers apprehended the petitioner
with 6 kg of poppy straw and handed him over to the police.

Learned counsel for the petitioner has submitted that the
entire allegation is false. As a matter of fact the motorcycle
driven by the petitioner touched one villager which infuriated
them and they caught hold of him and falsely implicated. The
petitioner is a person of clean antecedent and the quantity of



poppy straw is much less than the commercial quantity. He is under custody since 28.09.2022.

Considering the clean antecedents as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (N.D.P.S. Act), Gaya in connection with Barachatti P.S. Case No. 864 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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