

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6940 of 2024

Arising Out of PS. Case No.-219 Year-2021 Thana- SONBERSA District- Sitamarhi

Chhotu Mahto @ Chhote Mahto Son of late Chandeshwar Mahto Resident of
Village-Sonbarsa, Ward No.11, P.S.-Sonbarsa, Distt.-Sitamarhi, Pin Code-
843330(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Uday Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Sonbarsa P.S. Case No. 219 of 2021, F.I.R.
dated 06.08.2021 for the offences punishable under Sections
8(C)/ 20(b)2(ii)/(C)/21(C)/27(A)/29 of the NDPS Act and
Section 25(1-b)/a/26/35 of the Arms Act.

3. Recovery is of 13.500 kg Ganja and 180 gm of
Charas.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner was not



arrested from the place of recovery. He further submits that there is non-compliance of Section 42 and 50 of the NDPS Act.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R as well as seizure list it appears that altogether 13.500 kg of Ganja and 180 gm of Charas have been recovered from the house of the petitioner and apart from that the petitioner has been made accused in one other case other than the present one in which he is on bail.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Sonbarsa P.S. Case No. 219 of 2021 pending in the court of Special Judge, NDPS, Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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