

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12983 of 2024

Arising Out of PS. Case No.-359 Year-2022 Thana- BHELDI District- Saran

Santosh Mahto @ Santosh Sahni son of Late Mithu Mahto Village- Katsha
Ps- Bheldi Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and Mr.
Jharkhandi Upadhyay, learned APP for the State.

2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 17.05.2023 in Cr. Misc. No. 22709 of 2023.

3. The petitioner seeks bail in connection with NDPS Case No. 12 of 2023 arising out of Bheldi P.S. Case No. 359 of 2022 registered for the offence punishable under Sections 8/20(b)(ii)(c)/29 of the NDPS Act.

4. As per the prosecution case, the recovery is of 21.2227 kg. of ganja from behind the house of the petitioner.

5. It has been submitted by learned counsel for the petitioner that there is no substantial progress in the trial and therefore, the petitioner has renewed his prayer for bail. He



further submits that cognizance has been taken in this case. The petitioner is in jail since 14.10.2022.

6. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

7. Considering the period of custody, this application is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS, Saran at Chapra in connection with NDPS Case No. 12 of 2023 arising out of Bheldi P.S. Case No. 359 of 2022.

9. The Court below at the time of granting bail will verify the statement of the petitioner that the trial has not begun and only cognizance has been taken. If the statement is true, then the bail bond of the petitioner shall be accepted otherwise the bail bond shall not be accepted.

(Sandeep Kumar, J)

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