

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40261 of 2024**

Arising Out of PS. Case No.-11 Year-2022 Thana- CHHAURADANO District- East  
Champaran

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Lalbabu Mahato S/o- Sudama Mahato @ Sudama Mahto Village- Bhatwaliya  
Ps- Sangrampur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      02-08-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the state.

The instant application is renewed by the  
  
petitioner for regular bail which has been filed in  
  
connection with Chhauradano (Mahuawa) P.S. Case No.  
  
11 of 2022 instituted for the offence u/s 20(b)(II)(c),  
  
23(c) of the NDPS Act.

Earlier the application for regular bail of the  
  
petitioner was rejected by order dated 02.08.2023  
  
passed in Cr. Misc. No. 63108 of 2022 with an  
  
observation to learned trial court to expedite the trial  
  
and conclude the same as early as possible.



As per allegation in the F.I.R., 160 kg of Ganja like narcotics substance has been recovered in 11 packets, out of which 2 packets were recovered from the possession of petitioner and co-accused Ravi Ranjan Kumar and 9 packets were recovered from the field.

Learned counsel for the petitioner submits that from the prosecution case, it is evident that two persons (petitioner and co-accused Ravi Ranjan Kumar) have been apprehended with two bags containing Ganja like substance, weighing about 14 kg Ganja each. It is further submitted that contraband which is recovered from the possession of the petitioner is lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 13.01.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

From perusal of the trial court report (kept at flag R), it appears that pending at the stage of prosecution evidence. Not a single prosecution witness



has been turned up before this Court to depose. It will take at least six months to conclude the case.

Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, in connection with Chhauradano (Mahuawa) P.S. Case No. 11 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XII, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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