

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38632 of 2024

Arising Out of PS. Case No.-77 Year-2020 Thana- PUNPUN District- Patna

Bidi Mahto @ Bidyanand @ Bidyanand Mahto SON OF Girja Singh @ Girija
Mahto R/O Village Potahi, P.S.- Punpun, Dist Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.N.K. Prasad, Advocate Mr.Ashok Kumar, Advocate
For the Opposite Party/s :	Mr.Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 04-10-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Punpun P.S. Case No. 77 of 2020 registered for the offences punishable under Sections 15(B) and 18(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'N.D.P.S. Act).

3. The accused/petitioner is named in the FIR and is in custody since 03.01.2024.

4. Allegation against the petitioner is to involved in cultivation of opium/poppy, where recovery is of 5 Kg. of opium plants.

5. It is submitted that petitioner has been falsely



implicated with present case as nothing appears during the course of investigation, which may suggest that petitioner was connected in any manner with alleged piece of land where cultivation of opium/poppy was alleged to be cultivated by this petitioner. While concluding argument, it is submitted that petitioner is a man of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned A.P.P. opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact that nothing appears *prima facie* to connect petitioner with alleged piece of land, where the cultivation of opium/poppy was alleged, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 03.01.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned Session Judge-cum-Special Judge (NDPS), Patna in connection with Punpun P.S. Case No.77 of 2020, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J)

Rajeev/-

U		T	
---	--	---	--

