

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42212 of 2024

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

Paanch Killo Mahto @ Arvind Mahto, Son of Late Ranjan Dhari Mahto, R/O
Potahi, P.S.- Punpun, Dist.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-09-2024 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 29.10.2023.

4. Allegation against the petitioner is to involved in cultivation of opium/poppy.

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 APP 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 the 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 29.10.2023, 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)

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