

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40203 of 2024

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

Bablu Mahto @ Surendra Kumar S/o Late Nagendra Prasad Mother-name
Malechhiya Devi, R/o vill - Pothahi, P.O - Basuhar, P.s. - Punpun, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Chandra Shekhar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-09-2024 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Punpun P.S. Case No. 77 of 2020 registered for the offences

under Sections 15(B) and 18(B) of the NDPS Act.

3. The petitioner is named in the F.I.R. and is in

custody since 12.02.2024.

4. The allegation against the petitioner is to

involve in cultivation of opium poppy after obtaining one

kattha land on lease.

5. Learned counsel appearing on behalf of the

petitioner submitted that petitioner has falsely been



implicated with the present case, where during the course of investigation nothing appears, which may suggest that land in issue, where opium poppy was found cultivated was taken by this petitioner on lease. It is submitted that plot in issue belongs to one Ajay Kumar Singh, as per revenue records. It is submitted that save and except suspicion nothing appears recovered from the possession of this petitioner, which may suggest his involvement with the present cultivation of opium poppy. While concluding the argument it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, for which, charge-sheet has submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances as mentioned above as nothing appears during the investigation, so as to connect this petitioner with the alleged piece of agricultural land, where opium poppy was alleged to be cultivated, coupled with the fact as petitioner is in custody



since 12.02.2024, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Punpun P.S. Case No. 77 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge (NDPS) Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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