

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46940 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- BAUNSI District- Araria

Bablu Kumar @ Bablu Mahto @ Babul, Son Of Kouri Sahni Village-
Khokha, Ward No. 6, P.S- Sri Nagar, Dist- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 13-09-2024 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Bausi P.S. Case No. 71 of 2024 dated 17.04.2024, registered for the offence(s) punishable under Section(s) 20 and 22 of N.D.P.S. Act
3. Mr. Gopal Kumar Jha, learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case mainly on the basis of disclosure made by the co-accused namely, Vicky Mahto and petitioner had no concern either with the seized ‘ganja’ or seized tempo and the alleged narcotic material ‘ganja’ has not been recovered from the conscious possession of the petitioner. Learned counsel further submits that petitioner is in custody since 18.04.2024 having fair and clean antecedent.



4. Mr. Prem Kumar Jha, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Having considered the facts that the petitioner is not alleged to have been arrested with the alleged seized narcotic material suspected to be ‘ganja’ from a tempo vehicle and the petitioner has taken the plea that he had no concern with the alleged vehicle from which the narcotic material was recovered and in respect of petitioner’s involvement in the alleged crime, the prosecution is mainly relying upon the statements of the co-accused who were apprehended with the alleged narcotic material and said plea has not been refuted by the learned APP and further taking into account, the petitioner’s custody which has been about five months and also coupled with his fair and clean antecedent as well as his young age, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Bausi P.S. Case No. 71 of 2024 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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