

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50773 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- KANHAULI District- Sitamarhi

Bharat Mahto S/o- Kheharu Mahto Village- Bhaluaha Ward No- 8, PS-
Kanhauli District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 51503 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- KANHAULI District- Sitamarhi

Rita Devi W/o- Bharat Mahto Village- Bhaluaha, W.No-8, PS- Kanhauli
District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 50773 of 2024)
For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP
(In CRIMINAL MISCELLANEOUS No. 51503 of 2024)
For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 25-09-2024 Both the cases are taken up together for hearing as

they arise out of the same PS case number. As such, both the

cases are being disposed of by this common order.

2. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

3. The petitioners seek bail in connection with



Kanhauli P.S. Case No. 57 of 2024 dated 27.07.2024, instituted for the offence punishable under Sections 8, 20(B)(II), 20(b), 21(c) of the NDPS Act.

4. The allegation is of recovery of 2 kg. *ganja* like substance and 48.300 litres cough syrup from the house of the Bharat Mahto (petitioner in Criminal Miscellaneous No. 50773 of 2024).

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that Petitioner Rita Devi (Criminal Miscellaneous No. 51503 of 2024) is wife of the petitioner Bharat Mahto. Learned counsel for the petitioners submits that Bharat Mahto was not arrested at the spot. As per the F.I.R., 2 kg. *ganja* has been recovered from the house of the petitioner, which is much below the commercial quantity. Lastly, it has been submitted that the petitioner Bharat Mahto is in custody since 06.06.2024 and petitioner Rita Devi is in custody since 27.04.2024. Petitioners have no criminal antecedents. Charge-sheet has been submitted in the case without F.S.L. report.

6. Learned A.P.P. has opposed the prayer for bail of the petitioners.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Kanhauli P.S. Case No. 57 of 2024.

(Khatim Reza, J)

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