

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62564 of 2024

Arising Out of PS. Case No.-185 Year-2016 Thana- KHAGARIA District- Khagaria

Mahesh Kewat Son of Buddhan Kewat Village- Vidyarthi Tola, P.S.- Muffasil,
Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 17 / 18 of the NDPS Act
1985 .

3 . As per prosecution case , allegation against this
petitioner is that he along with other co-accused persons is
indulged in the cultivation of opium in the field in question
which was seized by the police .

4. Learned counsel for the petitioner submits that this
petitioner has been made accused in this case merely because he
happens to be the owner of land in question which is allegedly
used by co-accused Mahendra Sah in cultivation of opium.
Police after investigation submitted final form and found the



case untrue against this petitioner. Similarly situated co-accused persons has already granted bail by this Court vide order dated 14.09.2018 in Cr. Misc. No. 51291 of 2018 . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts, clean antecedent of petitioner and other circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IIIrd Khagaria in connection with Khagaria (Gangaur) P.S. case No. 185 of 2016 G.R. No. 587 of 2016 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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