

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70050 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- SONBERSA District- Sitamarhi

Rajesh Kumar Son Shatrudhan Mahto Resident of Village- Sonbarsa, P.S.-
Sobarsa, Distt.- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Dayal
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 21(c) of the
Narcotics Drugs and Psychotropic Substances Act.

3. According to the case of prosecution, shop of the
petitioner was searched and from that shop, certain medicines
were recovered which is detailed in the seizure list.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to village politics. It is
further submitted by learned counsel for the petitioner that
from perusal of the F.I.R, it is not clear which of the medicines



contain the contraband. Nothing has been recovered from the conscious possession of the petitioner. Moreover, he is languishing in judicial custody since 02.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonbarsa P.S. Case No. 188 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-cum-Special Judge, Sitamarhi with a below condition :-

7. learned District Court is directed to verify from the Schedule appended to the NDPS Act, as to whether, the drugs mentioned in the seizure list are notified as the seizure list don't find any reference in the Schedule and any notification of the Central Government or it is derivatives of any psychotropic or narcotics substance as per Section 2 of NDPS Act and if the seized articles do not find place in the Schedule of N.D.P.S. Act, in



that case, petitioner will be granted bail.

(Ashok Kumar Pandey, J)

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