

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.389 of 2024

Arising Out of PS. Case No.-63 Year-2023 Thana- RATANPUR District- Supaul

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1. Santosh Kumar Mehta S/o Devi Lal Mehta R/o vill-Piprahi, Ward no.1, P.S- Ratanpura, Distt.-Supaul
 2. Ravindra Kumar Mehta S/o Lakshmi Mehta R/o vill-Baijnathpur, P.S- Ratanpura, Distt.-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 12-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Ratanpura P.S. case No.
63 of 2023 instituted for the offences under Sections 8(c) and
20(a) of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the in a raid
conducted by the police, 5 gram brown sugar like substance
along with motorcycle was recovered in this case.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. The petitioners are in custody since 09.10.2023.
The petitioner No. 1 has one criminal antecedent while



petitioner No. 2 has no criminal antecedent. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. The recovered contraband comes just equal to the small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ratanpura P.S. case No. 63 of 2023.

(Rudra Prakash Mishra, J)

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