

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2628 of 2025

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

Vikky Mahto, son of Shambhu Mahto, Resident of Village-Bausi, P.S-Bounsi,
District-Araria Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-01-2025 Heard Mr. Binod Kumar Yadav, learned counsel

appearing for the petitioner and Mr. Binod Kumar No. 3, learned

APP appearing 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
offences punishable under Sections 20 and 22 of the Narcotic
Drugs & Psychotropic Substances Act (in short 'NDPS Act').

3. This is the second attempt of the petitioner to get the
relief of regular bail after his first bail prayer was rejected by this
Bench vide order dated 06.08.2024 passed in Cr. Misc. No.
53060/2024.

4. The main submissions advanced by learned counsel
for the petitioner are that the petitioner has been languishing in
jail since 18.04.2024 having fair and clean antecedent, though the
instant matter relates to the recovery of 25.500 Kg of Ganja and
the same is alleged to have been recovered from a tempo but in



fact, the petitioner was present in the alleged vehicle at the time of recovery as a bonafide passenger having no knowledge of transporting of the alleged narcotic material by the alleged vehicle. It is further submitted that the bail prayer of co-accused Bablu Kumar @ Bablu Mahto @ Babul has been allowed by this Bench vide order dated 13.09.2024 passed in Cr. Misc. No. 46940 of 2024.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Heard both the sides and perused the FIR. The instant matter relates to the recovery of 25.500 Kg of narcotic material suspected to be Ganja and the same comes in the purview of commercial quantity and as per allegation, the petitioner was found with the alleged narcotic material in the alleged vehicle, though the co-accused Bablu Kumar @ Bablu Mahto @ Babul has been granted bail by this Bench but the case of this petitioner does not stand on similar footing with the said co-accused. Having considered these facts, this Court is not inclined to release the petitioner on bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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