

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6252 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- SONBERSA District- Sitamarhi

Ramji Mahto, Son of Udho Mahto, Resident of Village - Jainagar, P.S. -
Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Sonbarsa P.S. Case No. 317 of 2024, registered for the offences under Sections 8/20(b) (ii) (B) of the NDPS Act.

3. As per prosecution case, police received secret information about petitioner and co-accused bringing *ganja* in their house for selling it. From the house of the petitioner, recovery of 9.340 Kg of *ganja* was made. From the house of co-accused, recovery of 9.700 Kg of *ganja* was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From bare perusal of FIR, it is



apparent that seized *Ganja* is less than the commercial quantity notified by the Government under NDPS Act. Moreover, said recovery has not been shown from the conscious possession of this petitioner and the recovery has been made from a joint house inhabited by a number of persons. Search and seizure was not done in accordance with law. The petitioner has got no criminal antecedent. The petitioner is in custody since 09.10.2024 and charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that recovered contraband is much more than small quantity and about half of the commercial quantity.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner as well as his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Sitamarhi/concerned court in connection with Sonbarsa P.S. Case No. 317 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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