

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23609 of 2025**

Arising Out of PS. Case No.-389 Year-2024 Thana- SONBERSA District- Sitamarhi

Mukesh Kumar @ Mukesh Mahto S/o- Yogi Mahto village - Jai Nagar @
Jaynagar, P.S. - Sonbarsa, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 30-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sonbarsa P.S. Case No. 389 of 2024 lodged on 06.12.2024, for the offence punishable under Sections 8, 20(b)(ii)(B) of the N.D.P.S Act, 1985.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. Total recovery of 10 kgs. of *ganja* has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the apprehended accused persons have disclosed the name of the petitioner and nothing has been recovered from the petitioner's possession. Counsel further submits that the



petitioner has no criminal antecedent and only by virtue of the confessional statement of the co-accused persons, petitioner's name has been inserted in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that no recovery of NDPS material has been made from the petitioner's possession, rather his name has been disclosed by the apprehended accused persons and petitioner has also no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Sessions Judge cum Special Judge, NDPS Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 389 of 2024, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Divyansh/-

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