

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23168 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- BAKHTIYARPUR District- Patna

CHHOTU KUMAR @ TENGRA @ RAJESH KUMAR S/o Nathun Mahto
Resident of village - Jagdishpur, P.s.- Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Nilendu Kumar Choudhary, Advocate
For the State : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 8(b), 8(c), 18, 29 and 46 of
the N.D.P.S. Act.

3. As per prosecution case, illegally cultivated opium
plant, which is prohibited, was found on the land bearing Khata
No. 64, Khesra No. 121 measuring 1.75 Kathha, which was
taken by this petitioner from father of co-accused Arun Mahto
as *Batedar* and on several other plots relating to other persons.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



Petitioner has falsely been implicated in this case merely because he happens to be owner of the land in question. Petitioner has got no concern with the illegally cultivated opium plant. No incriminating article has been recovered from conscious possession of this petitioner. It is further contended that co-accused Munna Prasad, having similar and identical allegations, has already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 21.08.2024 passed in Cr. Misc. No. 50795 of 2024. Petitioner has got no criminal antecedents and he is in custody since 25.02.2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, claim based on parity, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge (N.D.P.S.), Patna in connection with Bakhtiyarpur P.S. Case No. 137 of



2024.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

