

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28006 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- JHAROKHAR District- East Champaran

Rajan Kumar Mahto S/o Panna Lal Mahto @ Panna Lal Mahato Resident of
Village - Bijbani Bichala Tola, P.S. - Jitna, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through S.S.B. Motihari Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhurendra Kumar, Advocate
For the State	:	Mr.Rajesh Kumar, APP
For the U.O.I.	:	Mr. Kumar Ravish, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the Union of
India through S.S.B.

2. In this present case, the petitioner seeks bail in
connection with N.D.P.S. Case No. 122 of 2024 arising out of
Jharokhar P.S. Case No. 12 of 2024 registered for the offences
under Section 317(5) of the B.N.S and Section 8(b), 20(2)(c), 22
and 24 of the N.D.P.S. Act.

3. As per prosecution case, from the motorcycle being
driven by the petitioner, recovery of 500 gram of *charas*
(cannabis) 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. Motorcycle does not belong to this petitioner which is owned by one Pradeep Kumar. Petitioner was apprehended on suspicion. The alleged recovery is much below the commercial quantity. Petitioner is in custody since 27.09.2024 and charge-sheet has been submitted. Petitioner is 19 years old boy having no criminal antecedent.

5. Learned A.P.P. as well as learned counsel appearing on behalf of S.S.B. vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the S.S.B. submits that the petitioner was caught red-handed with 500 gram of *charas* which is five times of the small quantity.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the age of the petitioner and also considering the clean antecedent of the petitioner along with 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 Sessions Judge/Special Judge, East Champaran, Motihari/concerned court in connection with N.D.P.S. Case No. 122 of 2024 arising out of Jharokhar P.S. Case No. 12 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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