

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52737 of 2025**

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

Vikky Mahto @ Bikki Mahto, S/o Shambhu Mahto, R/o Village- Farkia, Ward  
No. 11, P.S.- Bausi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                           |
|----------------------|---|---------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Raj Kumar, Adv.<br>Mr. Pratik Kumar, Adv.<br>Ms. Chitra Dwivedi, Adv. |
| For the State        | : | Mr. Binod Kumar No. 3, APP.                                               |

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

5      07-11-2025                      Though as per the office notes, the explanation which was sought by this Bench vide order dated 26.09.2025 has not been received, however, the record goes to show that the required status report of the petitioner's trial has already been sent by the trial court on 26.09.2025 and the same was received in the office on 07.10.2025, so, now there is no need to get an explanation from the court concerned.

2. Heard Mr. Raj Kumar, learned counsel for the petitioner and Mr. Binod Kumar No. 3, learned APP for the State.

3. 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 And Psychotropic Substances, Act (in short 'NDPS Act').



4. The main submissions advanced by petitioner's counsel are that this is the second attempt of the petitioner to get the relief of regular bail as his first attempt to get the same relief was rejected by this Bench vide order dated 06.08.2024 passed in Cr. Misc. No. 53060/2024 and by the same rejection order, the prayer of the co-accused Prabhu @ Prabhu Mahto was also rejected, who was later granted the relief of bail vide order dated 19.09.2025 passed in Cr. Misc No. 63416/2025 by this Bench and as per the allegation, this petitioner and co-accused Prabhu @ Prabhu Mahto were found travelling in the same vehicle from which the recovery of the alleged contraband was made and the fresh grounds for renewing the bail prayer of the petitioner are his long custody period, no progress in his trial and the lingering attitude of the prosecution in producing and examining the prosecution witnesses in his trial.

5. Learned APP for the State has opposed the prayer of the petitioner and submits that the instant matter relates to the recovery of commercial quantity of Ganja which was recovered from the possession of this petitioner and co-accused Prabhu @ Prabhu Mahto.

6. Heard both the sides and perused the relevant materials. Though the instant matter relates to the recovery of



commercial quantity of Ganja, however, considering the present custody period of the petitioner which has been about 1 year and 7 months and also the fact that one similarly situated co-accused Prabhu @ Prabhu Mahto, who was also apprehended with the alleged contraband with this petitioner as per the prosecution story, has been granted the relief of bail by this Bench and further, taking into account the petitioner's fair and clean antecedent and mainly the lingering attitude of the prosecution in producing and examining the prosecution witnesses despite the charges having been framed upon the petitioner in the month of April, 2025, as stated by petitioner's counsel and till date no prosecution witness has turned up, in my opinion, in the said circumstances, the petitioner now deserves to the relief of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Bausi P.S. Case No. 71 of 2024.

**(Shailendra Singh, J)**

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