

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64823 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- Mabby District- Darbhanga

Kishor Kumar Mahto S/O Badri Narayan Mahto R/O Village- Balua Gandhi
Chowk Ward No. 12, P.S.- Town, Madhubani, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Udeshya Kumar Yadav, Advocate
For the State	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 318(4), 338, 336(3) and 340(2) of the B.N.S. and Sections 8(c), 21(c), 29 and 35 of the N.D.P.S. Act.

3. As per prosecution case, it is alleged that 2880 piece of 100 ml each containing Codeine Phosphate and Triprolidine Hydro Chloride Syrup Onerex Cough syrup in cartoons were recovered from an e-rickshaw which was being driven by one Ram Mohan Jha who disclosed that the cartoons contained medical drugs and the same were going to be delivered to this petitioner and he also gave the mobile phone



number of this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from possession of this petitioner and he has falsely been implicated in this case merely on the basis of confessional statement of co-accused person. Save and except confessional statement and mobile number of this petitioner, there is no material on record to show the complicity of this petitioner in the alleged occurrence. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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-cum-Special



Judge (N.D.P.S. Act), Darbhanga in connection with Mabbi P.S.
Case No. 50 of 2025, subject to condition as laid down under
Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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