

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12882 of 2015

Arising Out of PS.Case No. -322 Year- 2014 Thana -FATUHA District- PATNA

Sanjiv Kumar S/o Lalji Mahto, resident of village- Sanda, P.S.- Dhanarua,
District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Krishna

For the Opposite Party/s : Mr. Sangita Sharma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 04-05-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 12.09.2014 in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code and 20/22 of the NDPS Act.

It is alleged that on the information that the Ganja has been smuggled by Sunil Singh from Orissa, raid was laid, when over Ambassador car Sunil Kumar Singh and this petitioner were found watching and on the basis of suspicion they were apprehended. On search of a car being parked near the house of Sunil Kumar Singh it was found that the said car was used in transporting Ganja as similar smell was found coming out by the investigating agency from the chamber created in the car, thereafter, the house

of Sunil Kumar Singh was raided and 60 kgs. Ganja were recovered.

It is submitted by learned counsel for the petitioner that only on suspicion the petitioner has been apprehended near the house of Sunil Kumar Singh where the alleged car was parked, though, admittedly the recovery was made from the house of Sunil Kumar Singh.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIth, Patna in connection with Special Case No. 64 of 2014 arising out of Fatuha P.S. Case No. 322 of 2014.

The learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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