

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32469 of 2015

Arising Out of PS.Case No. -78 Year- 2013 Thana -CHAKAI District- JAMUI

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1. Manish Kumar Singh Son of Satyendra Singh Resident of Village
Salarpur near RaniBagaan Maidan Katras District Dhanbad (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 06-11-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 20 of the N.D.P.S. Act.

Allegedly, 111 packets of ganja each containing 1 kg.
was recovered from the Dikky and from inside the car which was
being driven by Navin Kumar Jha and he disclosed the name of
Suman Kumar Tiwari as the owner of Car and further that it was
being carried to the house of co-accused Vidhan Singh and the
ganja was loaded from the house of Jairaj Giriya. During
investigation after about two years the petitioner has been arrested
with allegation that Suman Kumar Tiwari had sold that Car to the
petitioner.



Submission is of false implication only with a view to save Suman Kumar Tiwari. The driver being the competent witness has specifically stated the name of Suman Kumar Tiwari that he is the Car owner. The owner book is still in the name of Suman Kumar Tiwari and only on the basis of some paper of Notary Public which is not attached with the case diary the petitioner has been implicated. The Bank Manager has stated that the loan is still due in the name of Suman Kumar Tiwari but there was talk for purchasing the vehicle between Suman Kumar Tiwari and the petitioner. Co-accused Jairaj Giriya and Vidhan Singh have already been allowed pre-arrest bail by this Court.

The learned A.P.P. submits that the name of the petitioner has transpired during investigation.

In the facts and circumstances as stated above, considering that the petitioner is not named in the F.I.R, the driver who was caught with ganja has not stated the name of the petitioner as owner of the Car and as such considering detention of the petitioner now he is directed to 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 Sessions Judge, Jamui in Chakai P.S. Case No. 78 of 2013/ N.D.P.S. Case No. 01A of 2013, subject to the conditions that one of the bailors

must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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