

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 39035 of 2014

Arising Out of PS.Case No. -345 Year- 2014 Thana -KOTWALI District- PATNA

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Tarkeshwar Nath Tiwary, son of Sidheshwar Nath Tiwary, resident of
Village – Tora, PS – Sarmera, District – Nalanda, at present residing at
Village – Chanola Chak, PO – Kurthal, PS – Parsa Bazar, District - Patna
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Krishna Tiwary

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

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

2 20-01-2015

Petitioner is in custody since 06.06.2014 in relation to Kotwali Police Station (PS) Case No 345 of 2014 instituted under Section 20 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act for allegedly found about 5 Kgs of Ganja from allegedly petitioner's car. Petitioner was not present there. Learned counsel for the petitioner submits that petitioner had already sold the aforesaid vehicle but it has not been transferred in the name of the purchaser. He cannot, thus, be held responsible for the recovery of Ganja. He further submits that as per NDPS Act, Ganja upto 1 Kg is small quantity and it is beyond 20 Kgs that it could be commercial quantity. What is found is alleged to be of 5 Kgs. Chargesheet has already been filed.

Be that as it may, let the petitioner abovenamed be

released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Patna in Kotwali PS Case No 345 of 2014/Special Case No 46 of 2014 subject to the condition that one of the bailors would be Sonu Kumar, the son of the petitioner.

(Navaniti Prasad Singh, J)

M.E.H./-

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