

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34627 of 2014

Arising Out of PS.Case No. -120 Year- 2011 Thana -SABOUR District- BHAGALPUR

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1. Pappu @ Pappu Mistri S/o Md. Salim Resident of Village Saahjangj Aziz Nagar, P.S. Habibpur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-01-2015

Heard both sides.

The petitioner Pappu @ Pappu Mistri seeks bail in Sabour P.S. Case No. 120 of 2011 registered under sections 20, 22 of the N.D.P.S. Act

The police intercepted a vehicle and on search 105kg of ganja was recovered. Three persons namely Sujit Paswan, the driver of the vehicle, Jitendra Kumar and Md. Hasim were apprehended at the spot.

Learned counsel for the petitioner submits that petitioner is also named in the first information report but petitioner was neither apprehended on the spot nor anything was recovered from the possession of the petitioner. The driver of the vehicle disclosed that the petitioner was plying the

vehicle and he had knowledge about the carrying of ganja in the vehicle. It is submitted that the driver and other apprehended accused confessed before the police. Except the confession no material is collected to show that the petitioner had knowledge that the ganja was being carried in the vehicle.

Considering that the petitioner was not apprehended at the spot along with the vehicle and in the confession of the driver and other two accused persons name of the petitioner came and it is stated that petitioner had knowledge about ganja in the vehicle but the I.O. did not collect any other evidence to show the involvement of the petitioner. Petitioner is not the owner of the vehicle and nothing has been recovered from the possession of the petitioner, and petitioner is in jail since eighteen months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Ist Addl. Sessions Judge (N.D.P.S) Act, Bhagalpur in Sabour P.S. Case No. 120/2011.

(Prabhat Kumar Jha, J)

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