

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8680 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -BAUSI District- PURNIA

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1. Taiyab Miya Son of Mojahir Miya Resident of Village Karmulla P.s
Lakhora District East Champaran,.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. J. N. Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 07.10.2015 in a case registered for the offences punishable under sections 20 of the N.D.P.S. Act.

The prosecution case is that from sleeper No. 13-14 of a bus on which the petitioner was travelling two bags were recovered and the petitioner accepted that the bags belong to him from which 12 kg. and 910 grams of Ganja were recovered.

It is submitted by learned counsel for the petitioner that the recovery cannot be treated from the possession of the petitioner and the recovered Ganja is between the small and commercial quantity. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further

submitted that investigation has already been concluded.

Learned counsel for the State admits that the recovery of Ganja is between small and commercial quantity.

Considering the aforesaid facts, let the above named petitioner 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 learned Special Judge, NDPS Act, Purnea in connection with Baisi P.S. Case No. 167 of 2015 giving rise to Special case No. 5/2015.

The bail bonds shall be provisionally accepted till the verification of criminal antecedent of the petitioner since statement with regard to criminal antecedent is usually very casually made.

(Dinesh Kumar Singh, J)

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