

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11083 of 2016

Arising Out of PS.Case No. -209 Year- 2014 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Jitendra Thakur Son of Sri Girja thakur Resident of Village -Mahuawa
PS Pipra District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Earlier, the prayer for bail of the petitioner was
rejected by this Court vide order dated 29.07.2015 passed in Cr.
Misc. No. 27022 of 2015 taking note of this fact that petitioner
was found engaged in unloading ganja from the truck.

Submission on behalf of the petitioner is that even if
prosecution story, as disclosed in the written report of the
informant, is assumed to be true, then also, petitioner was only a
labourer and according to the prosecution case, when the
petitioner was caught by the police officials, he disclosed that
seized ganja belongs to one Mahendra Sah, who had hired him for

unloading the seized articles from the truck.

Petitioner is in jail custody since 17.09.2014 and he does not have any criminal antecedent. The trial court has reported that petitioner was charged on 30. 09.2015 but up till now, not a single prosecution witness could be examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, i.e., 3rd Additional Sessions Judge, Motihari, in connection with N.D.P.S Case No. 65 of 2014, arising out of Pipra P.S.Case No. 209 of 2014.

(Hemant Kumar Srivastava, J)

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