

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46929 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -JADOPUR District- GOPALGANJ

Lalan Prasad (Bhagat)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Sinha

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 15.07.2015 in a case registered for the offences punishable under Sections 8, 20 and 22 of the Indian Penal Code.

One truck was intercepted when three persons jumped from the truck but they were apprehended who disclosed their names as Indal Giri, Dinesh Kumar and Rajnish Singh who suggested that there is some Ganja in the cabin of the truck which was being loaded by co-accused Lallan Giri and the petition when from the truck, 60 Kgs. of ganja were recovered.

It is submitted by learned counsel for the petitioner that admittedly, as per the FIR, the petitioner was not present in the truck or around the place of seizure and only on the confession of the apprehended accused the petitioner has been roped in the

present case. There is nothing on record to suggest that the alleged ganja was being loaded at the behest of the petitioner. It is further submitted that the investigation has already concluded. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Learned APP, after going through the case diary, submits that only evidence is the statement of the apprehended co-accused.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Gopalganj in connection with Yadopur P.S. Case No. 60 of 2015.

(Dinesh Kumar Singh, J)

Amrendra/-

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