

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.957 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Rajesh Prasad S/o Suraj Prasad Resident of Village-Bakarbad, P.s
Taraiya, Sujaan ,Dist Kushinagar(U.P)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Tiwari

For the Opposite Party/s : Mr. M.Haque(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

4 24-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since
21.04.2015 in a case registered for the offences punishable under
sections 414/34 of the IPC and under section 20(b), 22 and 23 of
N.D.P.S. Act.

On confidential information one Hundai car, suspected
to be stolen one, was intercepted on NH- 28, which was being
driven by the petitioner and beneath the driver's seat four packets
were recovered which contained 8 Kg of Ganja.

It is submitted by learned counsel for the petitioner that
the recovery cannot be treated to be from the possession of the
petitioner. Statement has been in paragraph 3 of the petition that
the petitioner has no criminal antecedent. Moreover, the

investigation has already been concluded.

Considering the fact that the recovery is between small quantity and commercial quantity, 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 3rd Additional Sessions Judge-cum-Special Judge, Motihari, in connection with NDPS case No. 22 of 2015, arising out of Dumariya Ghat P.S. Case No. 36 of 2015.

The bail bonds of the petitioner shall be provisionally accepted till the verification of criminal antecedent of the petitioner.

This condition is incorporated in the order since this court finds that statement with regard to criminal antecedent is made in casual manner.

(Dinesh Kumar Singh, J)

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