

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 33113 of 2016

Arising out of P.S. Case No. - 60 Year - 2015 Thana - JADOPUR District - GOPALGANJ

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Bishram Singh @ Vishram Singh, Son of Ramdhyan Singh, R/o Village -
Ekderwa, P.S. + District - Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Pandey, Advocate

For the Opposite Party : Mr. Uday Chand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 27-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 03.06.2016
in a case registered for the offences punishable under Sections 8, 20 and
22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Amit Kumar, Officer-in-Charge, Jadopur Police Station
while patrolling duty on 15.07.2015 at 10:20 P.M. found one truck
being parked under the bridge and from the said place one Marshall
jeep and a motorcycle got speed-up and went towards Jadopur. Three
persons jumped from the truck. They disclosed their names as Indal
Giri, Dinesh Kumar and Rajnish Singh. From the truck 60 Kgs 750
grams of Ganja were recovered.

Learned counsel for the petitioner submits that,
admittedly, as per the F.I.R. petitioner was not present on 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. Further statement has been made in para 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that the investigation has not been concluded but till date the confession of the co-accused is only material collected against the petitioner.

Learned counsel for the State after going through the case diary submits that the recovery was not from the petitioner but the apprehended accused suggested that Lalan Giri, Lalan and the petitioner Bishram Singh @ Vishram Singh and four others loaded the Ganja in the truck.

Considering the fact that the petitioner is languishing in custody since 03.06.2016 coupled with the fact that except confession of co-accused there is nothing brought on record against the petitioner and statement made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent, 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 the learned Sessions Judge, Gopalganj in connection with Jadopur P.S. Case No. 60 of 2015.

(Dinesh Kumar Singh, J.)

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