

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57512 of 2015

Arising Out of PS.Case No. -390 Year- 2014 Thana -PATNA GRP CASE District- PATNA

Hira @ Rajesh Tiwary @ Hira Ravani @ Hira Rabbani S/o Shri Lallan
Karmkar, resident of Village- Brahampur, P.S.- Brahampur, District- Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Gopal Krishna, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta (App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Special
Case No. 62/2014/C-5432/2014, arising out of GRP Patna P.S.
Case No. 390/2014 registered under Sections 20/22 of the NDPS
Act.

The prosecution case is that on receiving secret
information about carrying the ganja through Train No. 15636,
Gwahati-Okha Express, the informant being the Sub-inspector of
Rail Police, Patna Junction started search of the train and in course
of checking in Coach No. B-3 at platform at Patna Junction near
berth no. 24, smell of ganja was coming out. In presence of other
passengers and T.T. Rajiv Ratan, the person of berth no. 24
queried who disclosed his name Hira @ Rajesh Tiwary, the

petitioner, son of Lallan Karmkar of village Brahampur, District-Buxar and from the bag which was in his hand 21kg ganja was recovered and beneath the seat two bags of plastic were also recovered each containing 25 kg ganja. The voter card issued by the Election Commission was also found in the name of Hira Karmkar.

Learned counsel appearing on behalf of the petitioner submits that in fact the person in the name of Rajesh Tiwary succeeded to flee away from the boggy and this petitioner under confusion has been apprehended by the police showing the recovery of 21 kg ganja from the bag found in the hand of the petitioner. It is further submitted that the petitioner having no criminal antecedent is in custody since 19.08.2014.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to 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 Additional District & Sessions Judge VI, Patna in connection with Special Case No. 62/2014/C-5432 of 2014, arising out of GRP Patna P.S. Case No. 390/2014. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J.)

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