

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21549 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -KAHALGAON District- BHAGALPUR

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Pramod Kumar son of Brahamdev Ray resident of Sitarampur, P.S. Matihani, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Sr. Advocate
Mr. Abhinay Raj, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 21-06-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 10.01.2017 in connection with Kahalgaon P.S. Case No. 17 of 2017, G.R. No. 111 of 2017 registered for the offence punishable under Sections 20 and 22 of the NDPS Act.

The prosecution case, as lodged by the police personnel, is that 67 kilograms of ganja was recovered from Scorpio vehicle in which 16 persons including driver and the petitioner were found.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and that as per seizure-list, nothing incriminating has been recovered from his



conscious possession. He further submits that the accused persons sitting in the Scorpio vehicle have already been granted the privilege of bail by coordinate Benches of this Court. He further submits that the driver of the vehicle has also been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 26604 of 2017 on 14.06.2017. He submits that petitioner was just a passenger in the said vehicle.

However, learned A.P.P. for the State vehemently opposes the prayer for bail and submitted that petitioner was also in the Scorpio vehicle from where ganja was recovered.

Considering the facts and circumstances and the fact that other co-accused, including the driver of the Scorpio vehicle have been granted the privilege of bail, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge, Bhagalpur in connection with Kahalgaon P.S. Case No. 17 of 2017, G.R. No. 111 of 2017.

(Nilu Agrawal, J.)

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