

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11193 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Kamakhya Giri S/o Late Indradeo Giri, resident of Village-Shankarpur,
P.S.-Haspura, Distt.-Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Giri, Advocate.

For the Opposite Party : Ms. Meena Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-04-2017 Heard both sides.

The petitioner seeks bail in Mufassil P.S. Case No. 164 of 2016, registered for the offences punishable under Sections 8/20 (b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act.

The informant, SHO of Muffasil police station, Aurangabad, intercepted a pick up van bearing Registration No. BR04M-0561 apprehended four persons namely Raushan Kumar, Ramlakhan Tiwary, Upendra Giri and Suraj Sao and from their possession huge amount of money was recovered. The pick up van was searched and from pick up van about 800 kg. of Ganja was recovered. The accused persons are alleged to have disclosed that Taslim Aarif @ Guddu loaded the Ganja on the pick up van and



the consignment was to be delivered to Om Prakash Giri and Kamakhya Giri, the petitioner of village Shankarpur, P.S. Haspura, District – Aurangabad.

Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner. No material is collected to show that the petitioner booked the consignment or purchased the Ganja from Taslim Aarif @ Guddu. Save and except the confessional statement of co-accused there is no material to show the involvement of the petitioner. The petitioner is in jail since 15.12.2016.

Considering the facts aforesaid and the fact that name of the petitioner figured in the case in the confession of the accused who were carrying Ganja on a pick up van, but nothing has been recovered from the possession of the petitioner, the petitioner above named is directed to be enlarged 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 Special Judge-cum-Sessions Judge, Aurangabad in Mufassil P.S. Case No. 164 of 2016.

(Prabhat Kumar Jha, J.)

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