

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4697 of 2018

Arising Out of P.S.Case No. -386 Year- 2017 Thana -ALAMGANJ District- PATNA

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1. Santosh Thakur, S/o Bihari Thakur, R/o Village- Bidupur, P.S.- Bidupur,
Distt.- Vaishali.
2. Loknath Singh S/o Late Nawal Kishore Singh, R/o Village- Subhi
Dukhan Tola, P.S.- Digha, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking regular bail in connection with Special Case No.153 of 2017, arising out of Alamganj P.S. Case No.386 of 2017, registered for offences alleged under Sections 20/22 of the N.D.P.S. Act.

Learned counsel for the petitioners submits that these two petitioners are Khalasi and conductor of the bus. It is alleged that when the bus was stopped by police then altogether 15 kg 200 grams Ganja wrapped in three packets with yellow colour plastic bag (bora) was recovered from the dickey of the said bus. The bus was seized. Learned counsel submits that the bus was a passenger



bus and somebody kept the bags containing 15 kg 200 grams, it was not possible for the khalasi and conductor to find out the same. Therefore, recovery in the present case cannot be said to be the recovery from the conscious possession of these petitioners. It is further submitted that the petitioners have no criminal antecedent.

Learned counsel for the State is present.

Considering the facts and circumstances particularly that recovery of Ganja is less than the commercial quantity and it has been recovered from the dicky of the bus, let the petitioners, above named, be enlarged on bail on their furnishing bail bond of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Session Judge-cum-Special Judge, N.D.P.S., Patna in connection with Special Case No.153 of 2017, arising out of Alamganj P.S. Case No.386 of 2017, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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