

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5238 of 2018

Arising Out of PS.Case No. -256 Year- 2017 Thana -BIRPUR District- SUPAUL

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Suresh Kumar Singh, Son of Ram Jivan Singh, Resident of Village-
Hariraha, P.S.-Karjain, District-Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 18.09.2017 in connection with Special Case No.15/2017, arising out of Birpur P.S. Case No.256 of 2017, registered for the offence under Section 414 of the Indian Penal Code and Section 20/22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that admittedly, the present petitioner was not part of the trade which is alleged to have been committed and the recovery was from the vehicle on which the petitioner was also said to be present. The F.I.R. itself indicates the role of one Ranjeet, who is the Driver of the vehicle, and that he had been carrying the



alleged quantity of *Ganja*, which is of commercial quantity, on the direction of one Badri Mehta, who is the kingpin of the trade. The recital of the F.I.R. itself indicates that the present petitioner had been taken on the vehicle as a Labourer and was not a part and parcel of the trade.

Having given conscious consideration to the entire facts and circumstances of the case, it appears that the recovery was not from the conscious possession of the present petitioner, rather from the vehicle which was being driven by Ranjeet Kumar alias Ranjeet Yadav.

In view of such facts and circumstances and that the petitioner is having a clean antecedent, let the petitioner, above named, be released on bail on his 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, Supaul, in connection with Special Case No.15/2017, arising out of Birpur P.S. Case No.256 of 2017.

(Anjana Mishra, J)

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