

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61898 of 2017

Arising Out of PS.Case No. -269 Year- 2017 Thana -GAYA GRP CASE District- GAYA

=====

1. Kartik Prasad S/o Late Rajendra Prasad, R/o Mohalla- Dulhinganj,
Gumti No.-1, P.S.- Kotwali, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate
Mr. Ashish Giri, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 06-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Section 120B of the Indian Penal Code and Sections 8/20(b)(ii)C of the N.D.P.S. Act.

M/S. Shree Shivam Cargo has taken on lease a railway bogie to carry goods booked by different individuals for its carriage to the mentioned destination. The petitioner was authorized agent of M/S. Shree Shivam Cargo to receive the referred goods at Gaya Railway Station. The packets of the goods were seized by the police on confidential information and the same were containing Ganja.

Submission of the learned counsel for the



petitioner is that the goods were to be handed over to consignee Raj Kumar Rai. Further submission is that in the ordinary course of business no one, who is working as a carrier, is expected to know what is concealed in any packet unless there is material to substantiate that the concealment was in connivance with the petitioner. The case-diary does not show any material of connivance. Petitioner is in custody since 05.09.2017.

Finding substance in the submission aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Gaya G.R. P.S. Case No.269 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

