

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56352 of 2018

Arising Out of PS.Case No. -152 Year- 2018 Thana -AIRPORT District- PATNA

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Akhilesh Kumar S/o Late Suresh Sah, R/o Baruhi, P.S.- Sahark, District-
Bhojpur at present Tenant of Hari Mahto, Sekhpura, Milkitoila, P.S.- Hawai
Adda, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Special Case No. 72 of
2018 arising out of Hawai Adda P.S. Case No. 152 of 2018
instituted for the offence under Sections 20 and 22 of N.D.P.S.
Act.

Counsel for the petitioner submits that petitioner has
no criminal antecedent. There is no recovery of *Ganja* from
conscious possession of the petitioner.

In the written report it is alleged that informant
arrested Santosh Kumar from whose possession 520 grams *Ganja*
has been recovered. It is further alleged that informant raided the
house of Hari Mahto which was taken on rent by Santosh Kumar
and found one person sitting there. He was found preparing *Puria*



of Ganja. He was apprehended. He disclosed his name as Akhileshwar Kumar (petitioner). It is further alleged that *Ganja* was recovered from the house in different *purias* as mentioned in detail in the written report.

It is mentioned in the seizure list that 6.950 kg. Ganja has been recovered, but from the written report it appears that there is no recovery from conscious possession of the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Patna, in connection with Special Case No. 72 of 2018 arising out of Hawaii Adda P.S. Case No. 152 of 2018, subject to the condition that both the bailors will be close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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