

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67227 of 2018

Arising Out of PS.Case No. -176 Year- 2016 Thana -KATEYA District- GOPALGANJ

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1. Ramesh Prasad @ Ramesh Patel Son of Ram Prasad Patel Resident of
Village-Pkaha Tola, Laxmipur, P.S. Baghauch Ghat, Distt.-Deoria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-11-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Kateya P.S. Case No. 176
of 2016 instituted for the offence under Section 414 of the of the
Indian Penal Code, Sections 8, 20 and 22 of Narcotic Drugs and
Psychotropic Substances Act, 1985.

It is alleged in the written report that one Honda Shine
Motorcycle has been recovered by the Police. The rider of the
Motorcycle managed to run away. From the Motorcycle 8 Kg.
Ganja kept in a two Polythene bag containing 4 Kg. each has
been recovered. Petitioner has been made accused on the ground
that he is owner of the aforesaid Motorcycle.

From the written report it appears that petitioner was
not present at the place of occurrence. The First Information



Report is against unknown.

It is mentioned in the seizure list that police has recovered Ganja like article from the Motorcycle.

Counsel for the petitioner submits that petitioner has already filed case against unknown on 18.07.2016 that his Motorcycle has been stolen under local police station. Thereafter, a complaint case has been filed in the court of learned Magistrate which was sent to Police Station under Section 156(3) Cr. P.C. on 7.10.2016. Counsel for the petitioner further submits that occurrence is said to have taken place on 18.07.2016 and the instant case has been filed on 28.07.2016.

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, Gopalganj, in connection with Kateya P.S. Case No. 176 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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