

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8271 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

HARI KISHUN GOND Son of Ram Parikha Resident of Village - Pahrajpur,
PS- Karimuddinpur, District Gazipur (Uttar Pardesh)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 16.10.2018 in a case registered for the offences punishable under Sections 8 and 20 of the NDPS Act.

The prosecution case as per the written report of S.I. of Police Rameshwar Prasad Singh dated 15.10.2018 submitted to the SHO, Buxar (Industrial Area) Police Station is to the effect that on 15.10.2018 at 5.00 P.M., a secret information was received that Ganja is being transported from Ara whereupon a raid was laid and two persons were intercepted on a motorcycle. They tried to flee away but on chase being made they were caught and co-accused Chhote Lal Kushwaha was pillion rider. It is alleged that from back pack of the pillion rider, five kilogram Ganja and from the possession of the petitioner a



mobile phone were recovered.

It is submitted by learned counsel for the petitioner that in fact recovery has been made from the possession of co-accused and statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover, the investigation has already been concluded.

Learned APP further submits that the petitioner was driving the motorcycle from whom the recovery has been made though the bag containing Ganja was being carried by the pillion rider.

Considering the recovery of contraband between small and commercial quantity and the recovery being made from the co-accused, the pillion rider coupled with the period under custody, 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 the learned District Judge-cum-Special Court, NDPS Act, Buxar in connection with Buxar (Industrial Area) P.S. Case No.205 of 2018.

(Dinesh Kumar Singh, J)

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