

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5172 of 2017

Arising Out of PS.Case No. -431 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Soni Jha @ Sumit Kumar Jha, son of Mritunjay Jha, Resident of Village –
Adarsh Nagar, Phlkiya, P.S. Ghogha, District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 The petitioner is in custody since 05.12.2016 in connection with Kahalgaon P.S. Case No. 431 of 2016, registered for offences punishable under Sections 20 and 22 of the N.D.P.S. Act.

Allegation is of recovery of 500 gram *Ganja*.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner rather the alleged recovery has been made from the house of the co-accused of this case and the only allegation against the petitioner is that he was consuming *ganja* and except that there is nothing against him and he has been in judicial custody since 05.12.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and period of custody, and also that no recovery has been made from the conscious possession of the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs.



Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur, in connection with Kahalgaon P.S. Case No. 431/2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear if the petitioner again found involved in any of the like, his bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

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