

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4309 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -TARABARI District- ARRARIA

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1. Kanhaiya Jha, Son of Gangadhar Jha, Resident of Village- Tegachhia,
P.S.- Tarabari, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Union of India through the Deputy Director, Directorate of Revenue
Intelligence, Regional Unit, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate

For the Opposite Party/s : Mr. Anshuman Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 Heard the parties.

This application has been filed in connection with Special Case No. 33 of 2016 arising out of Tarabari P.S. Case No. 76 of 2016 for the offence under Section 273 of the Indian Penal Code as well as Sections 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act.

It is submitted on behalf of the petitioner that nothing has been recovered from possession of the petitioner and it is alleged that 100 bottles of cough syrup were recovered from the motorcycle of the petitioner and he has remained in custody for about three months.

Heard learned A.P.P. as well as learned counsel for the Narcotic Control Bureau also.

Having heard both sides. In view of the fact that the



petitioner has been remained in custody for about three months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Araria in connection with Special Case No. 33 of 2016 arising out of Tarabari P.S. Case No. 76 of 2016.

With 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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the trial of the case and appear on each and every date in the court when required by the Police 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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