

Arising Out of PS.Case No. -13 Year- 2016 Thana -DARIYAPUR District- SARAN

..... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. Smt. Sahin Begam

2 25-01-2017 Heard learned counsels for the petitioner and
the State.

The petitioner has renewed his prayer for provisional bail on the ground of marriage of his daughter in a case registered for the offences punishable under Sections 20 B (ii) (b) 25 of the Narcotic Drugs & Psychotropic Substances Act.

Petitioner is languishing in custody since 20.06.2016.

The prosecution case is that on the basis of confidential information, the informant being Sub-inspector of Police, Dariyapur police station, raided the house of the petitioner in presence of his son and two independent witnesses and recovered two yellow bags containing 9 kg and



800 gms of ganja.

It is submitted by learned counsel for the petitioner that recovery has been made from the joint family house and the petitioner has no criminal antecedent. A statement to that effect has been made in para 3 of the petition which reads as follows:-

“That petitioner has no criminal antecedent.”

It is further submitted that recovery of contraband is between small and commercial quantity.

Learned counsel for the State Mr. J.N. Thakur does not controvert the contention of the counsel for the petitioner that recovery is between small and commercial quantity.

Considering the fact that prayer for provisional bail has been made on the ground of marriage of the daughter of the petitioner, petitioner having no criminal antecedent, the recovery of contraband is between small and commercial quantity and earlier bail of the petitioner was rejected vide order dated 07.09.2016 passed in Cr. Misc. No. 39048 of 2016 with observation ‘at present’, 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 1st Additional Sessions Judge, Saran at Chapra in connection with N.D.P.S. Case No. 1 of 2016 arising out of Dariyapur P.S. Case No. 13 of 2016.



Learned Court below will be at liberty to cancel the bail bonds of the petitioner if the petitioner gets substantially involved in similar nature of offence or defaults for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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