

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9692 of 2017

Arising Out of PS.Case No. -5 Year- 2016 Thana -TARABARI District- ARRARIA

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Dhrub Nath Jha @ Wakil Jha @ Dhrupnath Jha Son of Late Kashinath Jha
@ Kashi Jha Resident of Village- Tegacchia, Police Station- 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. Sri Parmanand Prasad, APP
For Union of India	:	Mr. Kumar Priya Ranjan, CGC
		Mr. Vasant Vikas, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 22.03.2017

Heard learned counsels for the petitioner and

Union of India.

The petitioner has renewed the prayer for bail
in a case registered for the offences punishable under Sections 22,
23, 24 of the NDPS Act.

The prosecution case is that from the closed
house of the petitioner 7 Kg 500 gms Ganja was recovered.

It is submitted by learned counsel for the
petitioner that the recovery has been made from the joint family
house and the house was admittedly closed. A statement has been



made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that earlier bail application of the petitioner was rejected vide order dated 09.09.2016 passed in Cr. Misc. No. 36242 of 2016 with liberty to the petitioner to renew prayer for bail after remaining in custody for eight months. The petitioner is in custody since 10.06.2016 and hence, admittedly in custody for more than eight months.

Mr. Kumar Priya Ranjan, Advocate appearing for Union of India does not controvert the quantity of recovery.

Considering the recovery between small and commercial quantity, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent and the liberty given to the petitioner earlier to renew prayer for bail after remaining in custody for eight months, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge – cum- Special Judge, Araria in connection with Special Case No. 05 of 2016 arising out of Tarabari P.S. Case No. 05 of 2016.

The learned court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities i.e. if



the petitioner defaults for two consecutive occasions or substantially gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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