

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28984 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -BAHERA District- DARBHANGA

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Phool Choudhary Son of Late Tripit Choudhary, Resident of Village-
Basuam, P.S.- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Damodar Pd. Tiwari

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-08-2017 Heard Mr. Iqbal Asif Niyazi, learned counsel for the
petitioner and Sri Damodar Prasad Tiwari, learned Addl. Public
Prosecutor.

This is the second attempt for grant of bail on behalf
of the petitioner, who is in custody since 14-08-2016 in Bahera
P.S. Case No. 239 of 2016 registered for offence under Sections
20, 21 & 22 of the Narcotic Drugs & Psychotropic Substances
Act, 1985.

Learned counsel for the petitioner submits that earlier
while rejecting the prayer for bail of the petitioner, vide order
dated 23-12-2016 in Cr.Misc. No. 50902 of 2016, this Court,
considering the lesser quantity of the *Ganja*, had observed that the
prayer for bail was rejected for the present with liberty to renew



the prayer for bail after completion of nine months in judicial custody. He submits that the petitioner has already completed about one year in custody. He further submits that he has received information that only recently charge has been framed.

Considering the fact that while rejecting the prayer for bail, this Court had observed to renew the prayer for bail after completion on nine months in custody and period has already completed as well as quantity of *Ganja*, let the petitioner namely Phool Choudhary be enlarged 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 Sessions Judge cum Special Judge, Darbhanga in connection with G.O. Case No. 14 of 2016 (arising out of Bahera P.S. Case No. 239 of 2016), with condition that one of the bailor must be blood relation of the petitioner and secondly, during trial, the petitioner shall remain physically present on each and every date. It is made clear that if continuously on two dates, without prior permission of the trial court, the petitioner remains absent, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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