

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44649 of 2017**

Arising Out of PS.Case No. -5 Year- 2014 Thana -SIMRI District- BUXAR

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Md. Sahban Ansari Son of Late Fool Mohammad, R/o Village- Pailadih,  
P.S.- Simri, District- Buxar, At Presently Residing at Village- Abdul  
Hamirpur, Dulahipur, P.O.- Chanduali, District- Munalsarai (Uttar  
Pradesh).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhanshu Kumar Lal, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
ORAL ORDER

2      20-09-2017                      Heard both sides.

The petitioner seeks bail in Simri P.S. Case No. 05 of  
2014 under sections 20(B) (II) (C), 22, 27A and 29 of the  
N.D.P.S. Act, under section 47A of the Excise Act and under  
sections 414 and 420 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected  
vide order dated 18.05.2017 passed in Criminal Misc. No. 18828  
of 2017.

The learned counsel for the petitioner submits that five  
kgs. Ganja was recovered from the house of the petitioner  
although petitioner was not found present but for the recovery of  
five kgs. Ganja, petitioner has already remained in jail for about



six months.

Considering the facts aforesaid that for recovery of five kgs. Ganja from the house of the petitioner, he has remained in jail since 24.03.2017 i.e. for about six months, the petitioner, namely, Md. Sahban Ansari is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Buxar in connection with N.D.P.S. Case No. 01 (B) of 2014 arising out of Simri P.S. Case No. 05 of 2014, subject to the condition that one of the bailor shall be villager of the petitioner having sufficient immovable property.

**(Prabhat Kumar Jha, J)**

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