

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37740 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- PAROO District- Muzaffarpur

Jawahar Chaudhary, Son Of Late Nageena Chaudhary Resident Of Village -
Purani Bazar, Mehadiganj, P.S. - Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh

For the Opposite Party/s : Mr. Ajay Kumar No.2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Paroo P.
S. Case No.83 of 2021, instituted for the offences under
Sections 20, 22 of the N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 14.03.2021, charge-sheet has been
submitted in this case and he is aged about 80 years.

The learned counsel for the petitioner further submits
that though in the F.I.R. allegation is of recovery of 70 Kgs. of
Ganja, but the same is said to be recovered from the house of
Ajay Kumar Jha. As far as this petitioner is concerned, it is
alleged that from his hut 4.722 Kgs. of ganja along with
Rs.48,935/- was recovered and from the hut of Ganesh Sah, 1.5



kg. of ganja was recovered.

The learned counsel for the petitioner submits that admittedly, the recovered ganja is a little more and the small quantity and less than the commercial quantity and it is also submitted that the alleged recovery of the money belonged to his son, who indulges in nefarious activities and this petitioner being an old-man aged about 80 years, who resides in small hut gets implicated.

Learned A.P.P. opposes the bail application and submits that petitioner has an antecedent under the N.D.P.S. Act as mentioned in Para-3 of the petition. Learned counsel for the petitioner countering the submission of learned A.P.P. that the petitioner in that case was also falsely implicated. The learned counsel for the petitioner submits that the said hut does not belong to the petitioner and also submits that even admitting for the present, then also the allegation is of recovery of ganja which is a little more than the small quantity.

Considering the fact that the petitioner is in custody since 14.03.2021, charge-sheet has been submitted in this case and petitioner is aged about 80 years, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Paroo P. S. Case No.83 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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