

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.445 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- NARPATGANJ District- Araria

Shakeel Jat @ Shekeel Jat @ Md. Sakeel Jat, S/O Satar Jat, resident of village-Harinagar Ghushki, Ward No.7, P.S - Ghuski, Dist. Sunsari (Nepal) Under Guardianship of Mother Namely Saifora Khatun, Female, Age 43 Years D/O Saidur Rahman, W/O Satar Jat.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant : Mr. Vijay Kishore Bharti, Advocate
For the State : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 16-02-2024 Heard learned counsel for the parties.

2. This appeal under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 has been filed challenging the order dated 14.12.2023 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria, in connection with Special (Child) Case No. 09 of 2023, arising out of Narpatganj (Churna) P.S. Case No. 85 of 2023 registered under Section 20(b)(ii)(B) of the NDPS Act, whereby the prayer of the petitioner for grant of bail has been rejected.

3. Earlier, the petitioner had moved before this Court for grant of regular bail in Criminal Miscellaneous No.28996 of 2023, which was rejected vide order dated 24.05.2023.

4. In the instant case, there is recovery of 3.8 Kgs of *ganja* from the petitioner. He is in custody since 16.02.2023.



5. Considering the quantum of recovery as well as the period of custody of the petitioner, this appeal is allowed. Accordingly, the impugned order dated 14.12.2023 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria, in connection with Special (Child) Case No.09 of 2023, arising out of Narpatganj (Churna) P.S. Case No. 85 of 2023 is hereby set aside.

6. 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 the learned 1st Additional Sessions Judge-cum-Special Judge, Araria, in connection with Special (Child) Case No.09 of 2023, arising out of Narpatganj (Churna) P.S. Case No. 85 of 202, subject to the following conditions that (i) one of the bailors shall be Md. Mukhtar, who is maternal uncle of the petitioner; (ii) the petitioner will not leave India during the pendency of the trial and (iii) the petitioner will stay at the address of his Mama i.e. resident of village - Kochgama Bhagwanpur, P.S. - Birnagar, District- Supaul.

(Sandeep Kumar, J)

pawan/-

U		T	
---	--	---	--

