

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33357 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- KORHA District- Katihar

Gaurav Jha @ Gaurav Kumar son of Brahmdev Jha Village- Korha, Ps-
Korha, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 26-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. Case No. 79 of 2024 arising out of Korha P.S. Case
No. 304 of 2024 registered under Sections 8(c) and 21(b) of the
N.D.P.S Act.

3. The prosecution case in short is that on secret
information, a Scorpio vehicle was intercepted and one person
was apprehended, who disclosed his name as Bambam Kumar.
On search, a total of 102 grams of smack and one VIVO mobile
phone were recovered from his possession. He disclosed the
name of co-accused Gaurav Jha (petitioner) to whom, he has
stated that the said smack was going to be delivered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been named in the confessional statement of a co-accused from whom the said narcotic substance was recovered. It has further been submitted that no recovery whatsoever has been made from the conscious possession of the petitioner and barring the said confessional statement, there is nothing against the petitioner to connect him with the alleged incident. It has lastly been submitted that though the petitioner has antecedent of two criminal cases but not of similar offences and he has been in custody since 23.03.2025 in the present case.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the learned counsel for the parties and taking into account that no incriminating article has been recovered from the possession of the petitioner, let the petitioner above named, be released 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 Sessions Judge, Katihar in connection with N.D.P.S. Case No. 79 of 2024 arising out of Korha P.S. Case No. 304 of 2024 subject to the conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

Prakash/-

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