

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65668 of 2024**

Arising Out of PS. Case No.-24 Year-2024 Thana- SUKHANI District- Kishanganj

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Nawidul Haque @ Nabedul Hauqe @ Nabidul Haque Son of Samsul Haque  
@ Samsel Sekh Village- Shukarur Kutu, Ps- Sahabganj, Dist- Coochbihar  
(W.B)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      25-11-2024                      Heard the parties.

2. The petitioner is in custody in connection with Sukhani P.S. Case No. 24 of 2024 for the offence punishable under sections 8, 20(b)(ii)(B) of the N.D.P.S. Act lodged on 03.06.2024 by the informant, Sanatomba Singh.

3. As per the prosecution story, the informant alleged that upon information, the accused persons were intercepted and there is recovery/seizure of 4.200 kg of ‘ganja’, which led to the FIR.

4. Learned counsel for the petitioner submits that police has implicated him in the case, he has no criminal antecedent, in any case, it is below the commercial quantity.

5. Learned APP opposes the prayer for bail but accept



that it is below the commercial quantity.

6. Taking into account the aforesaid submissions put forward by the parties as also that he is in custody since 04.06.2024 (para 17 of the petition), the recovery/seizure is below the commercial quantity of 20 kg and he has no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS) Act, Kishanganj in connection with Sukhani P.S. Case No. 24 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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