

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82958 of 2024**

Arising Out of PS. Case No.-115 Year-2024 Thana- DIGHALBANK District- Kishanganj

Mohammad Saddam Hussain Ansari @ Md Saddam Hussain Ansari @  
Saddam Ansari Son of Anwarul Haque @ Anwarul Ansari R/O-Village-  
Lohagara Hat, Ward No.- 6, PS- Bhadurganj, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

2      04-12-2024      Heard the parties.

2. The petitioner is in custody in connection with  
Dighalbank P.S. Case No. 115 of 2024 for the offence  
punishable under sections 8(c) and 21 (b) of the N.D.P.S. Act  
lodged on 19.09.2024 by the informant, Tapan Kumar Roy.

3. As per the prosecution story, the informant alleged  
that the SSB upon secret information, intercepted a motorcycle  
and there is recovery/seizure of 52.04 grams of brown sugar like  
substance from this petitioner and 52 grams from Shahnawaz.  
This led to the FIR.

4. Learned counsel for the petitioner submits that  
though he owns the motorcycle, nothing has been recovered  
from his conscious possession but Police implicated him.



Further, he has no criminal antecedent and is in custody since 19.09.2024 and lastly, the recovered substance is below the commercial quantity.

5. Learned APP opposes the prayer for bail submitting that the Police recovered/seized brown sugar.

6. Considering the submissions put forwarded by the parties as also his period of custody, he do not have any criminal antecedent and the recovered/seized quantity is below the commercial one, 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 Dighalbank P.S. Case No. 115 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)**

Adnan/-

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