

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10132 of 2025

Arising Out of PS. Case No.-261 Year-2023 Thana- JOGBANI District- Araria

Md. Nehal Ali @ Nehal Ansari @ Bhola @ Md. Nehal S/o Md. Chotu @
Chhotu Miya @ Chhote Miya Resident of village- Khajurbari, police station-
Jogbani, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-04-2025 Heard Learned Counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Jogbani P.S. Case No.261 of 2023 corresponding to Special
Case No.261 of 2023 lodged under Sections 17/18/22 of the
NDPS Act, 1985.

3. As per the prosecution, the recovery of 10 gram of
brown sugar alleged to be made from a motorcycle, which is
subject matter of the present case.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the said recovery has been made from a co-accused, namely
Manish Kumar and not from the petitioner's possession. He
further submits that the petitioner has been falsely implicated in
the present case and his name has figured in this case on
confessional statement of co-accused person.



5. Learned Counsel also submits that the petitioner is in custody since 12.11.2024 and his antecedent is not clean. There are 4 criminal antecedents of the petitioner in which he is on bail in all cases.

6. Counsel further submits that there is gross violation of Section 41/42/43 of the NDPS Act. He further submits that the commercial quantity of brown sugar is 250 gram and the said recovery is less than commercial quantity.

7. Learned APP for the State opposes the prayer for bail and submits that in the main petition, there are 4 criminal antecedents of the petitioner which are relating to Arms Act, NDPS Act and Excise Act.

8. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, liberty is hereby granted to the petitioner to renew his prayer for bail after framing of charge.

(Dr. Anshuman, J.)

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