

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11502 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- BELA District- Sitamarhi

Shahidul Nadaf S/o Naisarul Nadaf @ Naisrul Nadaf R/o village - Betaha @
Betha, P.S. Bela, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 18-06-2025 Heard Mr. Santosh Kumar, the learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar, the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 8/20 (b) (ii) (B) of N.D.P.S.
Act. Petitioner has two criminal antecedents.

3. As per the prosecution case, the informant during
the course of patrolling and search of vehicle, apprehended one
person who tried to flee, however, the police chased and caught
him and he disclosed his name as Shahidul Nadaf (petitioner)
and on search, total of 1.60 kg of ganja was recovered from his
possession

4. The learned counsel for the petitioner submits that
the petitioner has falsely been implicated in this case and no



such seizure as alleged has been made from his conscious possession. The learned counsel further submits that he has no concern whatsoever with seized material, however taking the allegations on its face value the same does not fall within the commercial quantity. The learned counsel lastly submits that petitioner though has two criminal cases against his name, he is custody since 10.11.2024 in the present case.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the petitioner has been apprehended with 1.60 kg of ganga and has two criminal cases against his name.

6. Considering the aforesaid submissions made by the parties and taking into account the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. 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 court below where the case is pending/successor court in connection Bela P.S. Case No. 241 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his



close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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 cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 or in the name of verification.

(Sourendra Pandey, J)

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