

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14341 of 2025**

Arising Out of PS. Case No.-658 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

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Salamuddin Idrisi Son of Late Nijamuddin Idrisi Resident of Badi Bazar,  
Mohania, P.S. - Mohania, District - Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rakesh Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

4      19-06-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the  
offences under Sections 8(c) and 21 (b) of N.D.P.S. Act.

3. As per the prosecution case, the police personnel  
conducted raid and one person was apprehended who disclosed  
his name as Ajay Kumar Kesari and on search 4.16 grams of  
heroin was recovered and subsequently on his disclosure, the  
police raided the house of the petitioner and one bag of heroin  
weighing 13.78 grams was recovered, however, the petitioner  
was not present at the house, but subsequently the police chased  
and arrested the petitioner on the same day.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this



case at the behest of the co-accused and he has no concern whatsoever with the said seizure. Learned counsel further submits that the narcotic recovered is though higher than the small quantity but it is below the commercial quantity, hence, Section 37 of N.D.P.S. Act is not attracted. It is lastly submitted that the petitioner has two criminal antecedents and is in custody since 06.10.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has been found in possession of narcotic substance and he also has two criminal antecedent hence, he does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody, let the petitioner above-named be enlarged 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 the learned court below where the case is pending/successor court in connection with Mohania P.S. Case No. 658/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.



- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. 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.
- d. 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

**(Sourendra Pandey, J)**

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