

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19964 of 2025**

Arising Out of PS. Case No.-2 Year-2025 Thana- DIGHALBANK District- Kishanganj

1. Md. Harun S/O Rafique Alam R/O Village- Mohamari, P.S- Dighal Bank, Distt.- Kishanganj.
2. Anarul Haque S/O Nurshed R/O Village- Mohamari, P.S- Dighal Bank, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md. Shah Nawaz Ali, Adv  
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

4      17-07-2025                      Heard learned Counsel for the petitioners and learned  
A.P.P for the State.

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

3. As per the prosecution case, total 88.60 grams of  
smack like substance was recovered from the possession of the  
petitioners.

4. Learned counsel for the petitioners has submitted  
that the petitioners are innocent and have falsely been  
implicated in this case. It is further submitted that no  
incriminating article has been recovered from the conscious



possession of the petitioners. It is next submitted that seized contraband is of intermediary quantity and much less than the commercial quantity. It is also submitted that the procedure under Section 50 of the N.D.P.S. Act has also not been followed. It is lastly submitted that the petitioners have clean antecedent and are in custody since 07.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid submissions of the parties, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Kishanganj, in connection with Dighal Bank P.S. Case No. 02 of 2025, subject to the following conditions:-

*(i) One of the bailors will be a close relative of the petitioners.*

*(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*

*(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be canceled by the Court concerned.*

*(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bonds.*



*(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.*

7. The application stands allowed.

**(Sourendra Pandey, J)**

Jyoti/-

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