

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22806 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- LAUKAHI District- Madhubani

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Md. Mistar S/O Md. Islam R/O Village- Dhobiyahi, P.S- Laukahi, District-
Madhubani. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 27-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with
Laukahi P.S. Case No. 07 of 2025 (G.R. No. 02 of 2025)
instituted for the offences under Sections 8, 21 and 22 of the
NDPS Act.

3. The allegation upon the petitioner is that he was
apprehended by the police during patrolling along with one
other co-accused, Shamsuddin Momin and it is stated that 100
grams of brown sugar was recovered from the pocket of
Shamsuddin Momin.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It has further been submitted by learned counsel for the
petitioner that from the seizure-list it is evident that only one



motorcycle has been shown to have been recovered from the petitioner. It is also submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner has next submitted that the said Shamsuddin Momin from whose possession the recovery has been made has been enlarged on bail by this Court vide order dated 13.05.2025 in Cr. Misc. No. 23534 of 2025. It is lastly submitted one criminal antecedent and is in custody since 13.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of respective counsel and taking into account the fact that recovery has not been made from the conscious physical possession of the petitioner and the period of custody, the petitioner above named, is directed to be released 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 of Principal Sessions Judge, Madhubani (or his successor) in connection with Laukahi P.S. Case No. 07 of 2025 (G.R. No. 02 of 2025), subject to the



following conditions:-

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

(ii) The petitioner 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 bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that 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 above-mentioned order shall not be delayed for purpose of the same 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)

Prakash/-

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