

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25308 of 2025

Arising Out of PS. Case No.-1792 Year-2024 Thana- PHULWARISHARIF District- Patna

Md. Syed Navi Hussain S/o- Md. Syed Jabbar Hussain Village- Muslim Gali
NO-3, Khalilpura Ps- Phulwarisharif Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Case (NDPS) No. 07 of 2025 arising out of Phulwarisharif P.S. Case No. 1792 of 2024 registered for the offences punishable under Sections 303(2) and 317(2) of the BNS-2023 and Sections 8/20(b)(ii)(A) of the N.D.P.S. Act.

3. As per the prosecution story, the informant being a police official has alleged that on 19.11.2024, during the course of patrolling, he got information that local people were beating a thief in front of S.K. Marriage Hall at Harun Nagar Colony. The police team reached there and saved him from the local people. On interrogation, the said person disclosed his name as Md.



Syed Navi Hussain (petitioner). On search, one master key of motorcycle, two mobile phones and two polythene containing total 13gm *Ganja* were recovered from his possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case without any legal ground. No occurrence has taken place as alleged in the F.I.R. and the story alleged by the informant is totally false, fabricated and concocted. The petitioner is named in the F.I.R. and he caught by the villagers and on information, the informant reached place of occurrence then villagers handed the petitioner over to him. All the seized articles like master key of the motorcycle and two mobile phones belongs to the petitioner. 13 gm of *Ganja* is the small quantity and the same was not recovered from the conscious possession of the petitioner. Learned counsel further submits that chargesheet has been submitted in this case and the petitioner is in custody since 20.11.2024.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail



bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (NDPS Act) Court No. 1, Patna in connection with with Special Case (NDPS) No. 07 of 2025 arising out of Phulwarisharif P.S. Case No. 1792 of 2024 subject to the following conditions :-

(i). He will remain physically present on each and every date in the Trial Court till the disposal of this case.

(ii). One of the bailor will be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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