

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31952 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- NAKARDEI District- East Champaran

Shekh Abdullah @ Shekh Abedullah @ Sheikh Abdulla @ Sekh Abdullah S/o
Sheikh Akbar Resident of Village - Sirisiya Maal, P.S. - Nakardei, District -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Nakardei P.S. Case No. 50 of 2024 registered for the alleged offences under Sections 8(c), 21(a) and 29 of the N.D.P.S. Act.

3. As per prosecution case, four persons riding a motorcycle and a scooty tried to flee away. They were apprehended and on search of the persons, recovery of 2.78 gram of brown sugar like substance was made which was kept by them in small *puriyas*. The apprehended persons disclosed the name of the petitioner who used to give them supply of the narcotic substance.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Nothing incriminating has been recovered from the person or possession of this petitioner. The allegedly recovered contraband is much below the commercial quantity and it is even less than the small quantity. Except for suspicion, there is nothing against the petitioner. The search and seizure has not been made in accordance with law. The petitioner has no concern with the seized contraband and the apprehended persons. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering the lack of substantive material against the petitioner coupled with his clean antecedent and possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Judge Court No.-II, N.D.P.S. Act, East Champaran, Motihari/ court concerned in connection with Nakardei P.S. Case No. 50 of 2024, subject to the condition laid down under section 482(2) of the B.N.S.S. and other 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.

However, before accepting the bail bonds of the petitioner, the learned trial court is directed to verify the criminal antecedent of the petitioner and if any criminal antecedent is found, the bail bonds of the petitioner would not be accepted.

(Arun Kumar Jha, J)

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