

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32715 of 2025

Arising Out of PS. Case No.-440 Year-2011 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Md. Tinku @ Aslam Kuraishi @ Tinku @ Tinku Miyan @ Md. Aslam
Kuraishi, S/O Late Chand Kuraishi @ Munna Miyan, Resident of Mohalla-
Maharaji Pokhar, Police Station- Town, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard Mr. Sanjay Kumar S.K., learned counsel for

the petitioner and Mr. Shantanu Kumar, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Town P.S. Case No. 440 of 2011 registered for the offence
punishable under Sections 20 and 22 of the N.D.P.S. Act.

3. The case of the prosecution is that the petitioner
was earlier on bail but as he was not present in the court on
17.05.2024 his bail was cancelled. Petitioner is in judicial
custody since 27.01.2025.

4. From perusal of the impugned order itself, it is
clear that the petitioner was on bail.

5. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, N.D.P.S. Act Court No.-II, Muzaffarpur in connection with Town P.S. Case No. 440 of 2011 with the condition that he will not misuse the privilege of bail in future.

6. Before parting, it is very disheartening that even in the cases of misuse, the officers in the rank of District Judge is rejecting the bail, they must consider the plight of the accused who has to travel up to this Court only for getting bail in the cases of misuse.

7. Learned trial court is warned not to repeat the same in future.

(Ashok Kumar Pandey, J)

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