

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30510 of 2025

Arising Out of PS. Case No.-102 Year-2022 Thana- BALIYA District- Begusarai

Md Nehal S/o Md Sahid Resident of Ward no 02, Chhoti Ballia, Mirsikar tola
P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Balia P.S. Case No. 102 of 2022 for the offence registered under sections 8(A)(c), 20, 21, 22 and 25 of the NDPS Act lodged on 15.04.2022 by the informant, Khusboo Kumari.

3. As per the prosecution story, the informant alleged that upon secret information and checking of the vehicle, one motorcycle was intercepted and there is recovery of 90 bottles (100 ml each) codeine cough syrup, which led to the FIR.

4. Learned Counsel for the petitioner submits that the motorcycle does not belong to him and the owner has shifted the responsibility on him, which led to the FIR against him.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail.

6. Taking into account the aforesaid facts as also that the motorcycle does not belong to him nor anything has been recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS Act, Begusarai in connection with Balia P.S. Case No. 102 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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