

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30249 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- DAGARUA District- Purnia

Md. Jalal @ Jalaluddin S/o Md. Sahid @ Hasamuddin R/o Telniya Rahika,
P.S.- Dagarua, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Fazle Karim, Advocate
	:	Mrs. Madhumita Singh, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dagarua P.S. Case No. 23 of 2025 for the offence under Sections 317(5), 318(4), 338, 336(3), 340(2) and 3(5) of the Bharatiya Nyaya Sanhita and section 8(c), 21(a), 27 and 29 of the Narcotics Drugs & Psychotropic Substances Act, lodged on 25.01.2025 by the informant, Ajit Kumar Singh.

3. As per the prosecution story, the informant alleged that during the patrolling, a Toto was intercepted, there is recovery/seizure of 4.20 grams smack/brown sugar from Manisha Khatoon. Upon enquiry, it was found that she purchased the same from this petitioner which led to the F.I.R.

4. Learned counsel for the petitioner submits that



admittedly, the recovery/seizure is from Manisha Khatoon, only to implicate, he has been named as he has criminal antecedent, he does not own the Toto.

5. Learned APP opposes the prayer for bail though concede that it is below the designated quantity of 5 grams to 250 grams.

6. Taking into account the aforesaid facts as also that the recovery/seizure is not from his conscious possession, F.I.R. is there, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned court of Special Judge, NDPS Act, Purnea in connection with Dagarua P.S. Case No. 23 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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/her 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 his 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 bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

