

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31796 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- SONBERSA District- Sitamarhi

Sadik Alahi Khan @ Sadik Ali Khan S/o- Alahi Khan @ Alahi Khan Pathan
@ Md. Alahi Khan Village- Mohanpur Bisbitti W.No-2, Ramgopalpur Dist-
Mohatari Nepal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
make necessary corrections in the prayer portion of the bail
application

3. The petitioner seeks regular bail in connection with
Sonbarsa P.S. Case No. 11 of 2025 registered for the offences
punishable under Sections-8, 20(b)(ii)B of N.D.P.S. Act.

4. The prosecution case is to the effect that the
Assistant Sub Inspector, during the course of checking at the
border, apprehended one suspicious person coming from Nepal.
On the search of his bag, 1.9KG Ganja was recovered and one
mobile was recovered from the possession of said person who



disclosed his name to be Sadik Alahi Khan @ Sadik Ali Khan (petitioner).

5. The Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It has also been stated that admittedly 1.9KG Ganja has been recovered from the bag which was stated to have been with the petitioner. However, the quantity is more than small quantity but below the commercial quantity. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 12.01.2025.

6. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner was apprehended with 1.9KG ganja.

7. Considering the aforesaid submissions made by the parties and taking into account the fact that the petitioner has clean antecedent and 1.9 kg ganja has been recovered which is below the commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Special Judge (NDPS Act), Sitamarhi in connection with Sonbarsa P.S. Case No. 11 of 2025, subject to the 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.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner.

However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Sourendra Pandey, J)

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