

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34591 of 2025

Arising Out of PS. Case No.-393 Year-2024 Thana- ARARIA District- Araria

Md. Intesar @ Md. Intesar Alam Son of Sarwar Resident of Village- Gaiyari,
Ward No. 05, P.S.- Araria, District- Araria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Araria P.S. Case No. 393/2024 lodged on 18.07.2024 under
Sections 21(c) of the Narcotics Drugs and Psychotropic
Substances Act, 1985.

3. As per the prosecution case, a total recovery of 2.7
liters of Codeine Cough Syrup is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence. It is
further submitted that the alleged recovery has not been made
from the conscious possession of the petitioner but rather from a
gumti (kiosk), which does not belong to the petitioner. Learned



counsel contends that the petitioner's name has surfaced in the present case solely on the basis of suspicion, arising out of a disclosure made by the *Chaukidar*. The petitioner is in custody since 12.04.2025, and is also implicated in three other criminal cases, in which he has already been granted bail. Out of the said cases, one pertains to an offence under the Excise Act. However, the petitioner undertakes to comply with any conditions that may be imposed by this Hon'ble Court in the event of his release on bail.

5. Learned counsel for the State opposes the prayer for bail and submits that while considering the petitioner's prayer for bail, the Court must take into account that the antecedents of the petitioner are not clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Araria, in connection with Araria P.S. Case No. 393/2024, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.



7. The learned Trial Court shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

- (i) Araria P.S. Case No. 990/2022.
- (ii) Araria P.S. Case No. 430/2021, and
- (iii) Araria P.S. Case No. 693 of 2022.

(Dr. Anshuman, J)

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