

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38771 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- SARSI District- Purnia

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1. Md. Jolfar Alam @ Md. Jolfar S/O Md. Afroj Resident of Parasmani, Ward No. 10, P.S.- Sarsi, District - Purnea.
 2. Md. Ansar S/O Md. Ekbal Resident of Parasmani, Ward No. 10, P.S.- Sarsi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioner seeks bail in connection with Sarsi
PS Case No. 60 of 2025 instituted for the offences under
Sections 20(b), 22(b) & 25 of the NDPS Act.

3. The prosecution alleges that on 26.03.2025, police
apprehended the petitioners with a motorcycle carrying 576
capsules containing Tramadol weighing 5760 mg (5.760 gm),
without purchase receipts.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioners. Learned counsel for the petitioner further submits that petitioners have no concern with the alleged recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioners are in custody since 27-03-2025 and have got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, recovery below commercial quantity and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sarsi PS Case No. 60 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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