

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43919 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- PALASI District- Araria

Sabbir @ Shabbir S/o Late Sadir Ali R/o Village- Kumhiya Ward No. 06,
P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 15-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Palasi P.S. Case No. 160 of 2025 registered for the offences punishable under Sections 8(c), 20(b)(ii)(B) of the NDPS Act.

3. As per the prosecution story, the informant has alleged that upon information of presence of a co-accused namely Rauf with contraband *Gaanja* near the furniture shop, place was raided. Those who tried to escape were apprehended. They were Rauf and Sabbir (petitioner). Upon search from the shop, on a bag, contraband 2 KG *Gaanja* was recovered/seized.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has committed no offence



whatsoever alleged by the prosecution. The petitioner has falsely been implicated in this case due to suspicion. When the police were chasing the co-accused Rauf, to catch him, he suddenly came to the petitioner's shop. He left his motorcycle and bag containing *Ganja* there and tried to run away. During this time, the police caught him, but they also included the petitioner's name in the case. The petitioner is a respectable person, own a shop and is well known in the society. Learned counsel further submits that total 2 KG of *Ganja* was recovered from the shop which was kept by Co-accused Rauf intentionally. Petitioner has no knowledge about this contraband. There is no compliance of Section 42 and 50 of the NDPS Act. From perusal of F.I.R., it appears that the manner in which the recovery/arrest is shown is contrary and improbable. It is also submitted that the main accused namely, Rauf has been granted bail by the Co-ordinate Bench of this Court vide order dated 30.07.2025 in Cr. Misc. No. 46265 of 2025. Petitioner is in custody since 25.04.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be



released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Session Judge cum Special Judge NDPS Act, Araria in connection with Palasi P.S. Case No. 160 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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