

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48465 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- MIRGANJ District- Gopalganj

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Mojibur Rahman @ Mojibu Rahman, Son of Sheikh Anwer, Resident of
Village - Nawada Parsauni, P.S.- Uchakagaon, District - Gopalganj.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No. 213 of 2025 dated 29.04.2025 instituted
for the offence punishable under Sections 8(c), 21(b) of the
N.D.P.S. Act

3. The prosecution case, in short, is that on the alleged
date of occurrence, during the vehicle checking, six persons
including the petitioner were apprehended and from their
possession total 10.400 gram smack kept in 23 sachet were
recovered. Two motorcycles were also seized. They admitted
that they have procured the same from a person of Siwan.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is submitted that allegation is that total 10.400 gram smack kept in 23 sachet were recovered from the possession of all the accused and the petitioner was having 7 sachet in his possession and thus, 3.15 gram smack like substances has been recovered from the possession of the petitioner which is less than small quantity. Learned counsel for the petitioner further submits that co-accused persons, namely, Rakesh Kumar, Sonu Kumar Ram, Pankaj Kumar & Dhananjay Kumar have been granted regular bail *vide* order dated 22.07.2025 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 44789 of 2025. Lastly, it has been submitted that the petitioner is in custody since 01.05.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Sessions Judge, Gopalganj in connection with Mirganj P.S. Case No. 213 of 2025, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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