

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58585 of 2025**

Arising Out of PS. Case No.-5 Year-2025 Thana- DAGARUA District- Purnia

Md Jalal @ Jalaluddin S/o Md Sahid Resident of - Telniya Rahika, P.S. -  
Dagarua, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

2      19-08-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Suppl.  
Special (NDPS Act) Case No. 87 of 2025 arising out of Dagarua  
P.S. case No. 5 of 2025 instituted for the offences under  
Sections 8(c), 21(b), 29 of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered  
10.25 Grams of Smack/Brown Sugar from the possession of the  
co-accused.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.  
Petitioner is in custody since 27.06.2025 and has two criminal  
antecedents. The petitioner was not present at the place of



occurrence and so much so there is no allegation of fleeing from there. The name of the petitioner has come in this case on the ground of disclosures made by the co-accused Ashik who has been granted bail by this Court vide order dated 04.03.2025 passed in Cr. Misc. No. 12595 of 2025. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized contraband. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. 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 petitioner, stating that the offence alleged is serious in nature and, hence, he does not deserve bail.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent, the period of custody undergone by the petitioner as also taking into account the quantity of the seized contraband, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties



of the like amount each to the satisfaction of Court below/concerned Court in connection with Suppl. Special (NDPS Act) Case No. 87 of 2025 arising out of Dagarua P.S. case No. 5 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

**(Rudra Prakash Mishra, J)**

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