

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63668 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- SIMRAHA District- Araria

Arshad, S/o Jakiruddin, R/o Village- Doriya Sonapur, Ward No. 12, P.S.-
Simraha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This is second attempt for regular bail on behalf of the petitioner. Earlier the petitioner had filed Criminal Miscellaneous No. 4180 of 2025 for bail which was rejected vide order dated 12.02.2025.

3. The petitioner seeks bail in connection with Simraha P.S. Case No. 110 of 2024 dated 04.09.2024 instituted for the offence punishable under Sections 21(c) of the N.D.P.S. Act.

4. As per the prosecution case, total 2 litres Eskuf Syrup was recovered from the gas repairing shop of the petitioner.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that one other case



bearing Simraha P.S. Case No. 3 of 2024 has also lodged against the petitioner under Section 30(a) of Bihar Prohibition and Excise Act wherein 3 litres Eskuf syrup was also recovered from the possession of the petitioner, but thereafter no case has been lodged against the petitioner under N.D.P.S. Act. Lastly, it has been submitted that the petitioner is in custody since 05.09.2024 having one criminal case against him. Charge-sheet has been submitted in the case.

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

7. 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 District & Sessions Judge -cum- Special Judge, N.D.P.S. Act, Araria in connection with Simraha P.S. Case No. 110 of 2024, 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.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge in this case.

(Khatim Reza, J)

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