

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61666 of 2025

Arising Out of PS. Case No.-20 Year-2024 Thana- NAKARDEI District- East Champaran

Tahir Miya @Tahir Hussain @ Tahir Miyan S/O Late Sainullah Miyan R/O
Ward No.- 02, Vill.- Sirisiyamal, P.O. - Noniyadih, P.S. - Nakardei, Dist.- East
Champaran, Bihar-845305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohd Rustam Hussain

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with N.D.P.S.
G.R. Case No. 98 of 2024, arising out of Nakardei P.S. Case No.
20 of 2024 dated 28.10.2024 registered for the offences
punishable under Sections 8(c), 21(b) and 29 of the N.D.P.S.
Act.

3. As per the prosecution case, total 10 grams of brown
sugar like substance, mobile phone and one motorcycle were
recovered from the possession of the co-accused Firoz Kumar
Shah @ Firoz Kumar Sah @ Firoz Kumar who disclosed the
name of the petitioner and other accused persons who are
involved in the business of sell and purchase of brown sugar.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Firoz Kumar Shah @ Firoz Kumar Sah @ Firoz Kumar which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from the possession of the petitioner. The other co-accused person has already been granted bail by this court vide order dated 10.07.2025 passed in Cr. Misc. No. 27270/2025. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 30.05.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions-cum- Special Judge, East Champaran at Motihari in connection with N.D.P.S. G.R. Case No. 98 of 2024, arising out of Nakardei P.S. Case No. 20 of 2024 with further condition:-



(i). The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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