

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64249 of 2025**

Arising Out of PS. Case No.-154 Year-2025 Thana- Mufassil District- Purnia

Md Sarfaraz @ Sarfaraz Alam S/O Md. Badruddin Resident of Telaniya  
Rahika, Kochaili, P.S- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md Fazle Karim

For the Opposite Party/s : Mr. Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      24-09-2025                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 8(c) and  
21(b) of the NDPS Act.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and the informant  
alleges that 104 gm of smack was recovered from Samil Sekh,  
who disclosed that he had sold the smack earlier to petitioner,  
Mubarak and Mahfuj.

4. Learned counsel for the petitioner submits that  
petitioner has been falsely implicated in the instant case based  
on confessional statement of Samil in police custody, which  
does not have any evidentiary value. It is next submitted that



even the smack recovered from Samil was less than commercial quantity. It is further submitted that Mahfuj Alam @ Md. Mahfooz and Md. Mubarak had approached this Court seeking anticipatory bail by filing Cr. Misc. No.57993/2025 and Cr. Misc. No.57102/2025 and the same were allowed by a learned coordinate Bench by an order dated 30.08.2025 and 27.08.2025 respectively. The learned counsel thus based on parity, seeks anticipatory bail. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner and also taking into consideration the order dated 27.08.2025 passed in Cr. Misc. No.57102/2025 and order dated 30.08.2025 passed in Cr. Misc. No.57993/2025, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection



with Muffasil P.S. Case No.154/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

7. Further, one of the bailors of the petitioner shall be his father, namely, Md. Badruddin.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

**(Satyavrat Verma, J)**

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