

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69932 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- KATIHAR (R.T) District- Katihar

Md. Salim, aged about 25 years, Male, Son of Md. Akbar, R/o Village-Driver Tola, Ward No.17, P.S.- Town, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Om Prakash Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Section 22(a) of the NDPS Act and Sections 137 and 147 of the I.R. Act.

3. Earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc. No.77876 of 2023 vide order dated 15.03.2024.

4. It is a case of recovery of various scheduled drugs and other substances from the petitioner who was apprehended at the railway station.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next



submits that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 15.05.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. On perusal of the first information report, seizure list, status report as submitted by learned trial Court dated 10.02.2025 and impugned order dated 14.08.2024, it appears that this is a case of NDPS and recovery from the possession of the petitioner above the small quantity but below the commercial quantity and on perusal of the status report, it appears that no progress of the trial in near future as appears from the impugned order as also the fact that petitioner has got clean antecedent as stated in para-3 of the petition and petitioner is in custody for more than one year, so I am inclined to grant bail to the petitioner.

8. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V, Katihar in connection with NDPS Case No. 17 of 2023 arising



out of Katihar Rail P.S. Case No. 135 of 2023, subject to the condition that petitioner shall remain appear before the trial Court on each and every date till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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