

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65154 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Md. Sarfraj Rayeen, aged about 35 years, Male, S/o- Md. Bakridu Rayeen,
Resident of Village- Ward No. 7, Stumar Ganj, P.S.-Mohania, District-
Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party : Mrs. Renuka Ratnakar (App 125), A.P.P.

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

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. Case No. 42/2024, arising out of Mohania P.S. Case No. 222 of 2024 dated 13.04.2024 registered for the offences punishable under Sections 8(c) and 21(a) of the N.D.P.S. Act.

3. As per the prosecution case, on the tip off, police conducted a raid and apprehended altogether eight accused persons and two pieces of Buprenorphine Injection Dolphine have been recovered from the possession of each accused persons while 22 pieces of Buprenorphine Injection Dolphine have been recovered from the place of assemblage of



the accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner was not arrested on the spot and his name has come in the present case on the basis of the confessional statement of the co-accused Vijay Kumar that the petitioner has purchased the seized contraband from the petitioner which has got no evidentiary value in the eyes of law. The petitioner has inimical term with the said co-accused Vijay Kumar. No incriminating article has been recovered from the possession of the petitioner. Except the confessional statement of the co-accused Vijay Kumar, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no statutory compliance under the provision of N.D.P.S.Act. Learned counsel has further submitted that the seized contraband is of small quantity as per the N.D.P.S. Act. It is further submitted that the other co-accused person, namely, Rinku Dhobi, has already been granted bail by a Bench of this Court in Cr. Misc. No. 37286 of 2025 vide order dated 14.08.2025. The petitioner has two criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 29.10.2024.



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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named, is directed to 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 learned Additional Sessions Judge-II, Kaimur at Bhabua and/or other transferee court in connection with N.D.P.S. Case No. 42/2024 arising out of Mohania P.S. Case No. 222 of 2024 with the 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 is liable to be cancelled.

7. The application stands allowed

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(Chandra Prakash Singh, J)

