

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68822 of 2025

Arising Out of PS. Case No.-279 Year-2025 Thana- ARARIA District- Araria

Saddam @ Md. Saddam S/O Md. Saiyyad @ Saiyyad Alam Resident of
Village- Gaiyari Ward No. 04, Police Station- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Ms.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Araria
P.S. case No. 279 of 2025 instituted for the offences under
Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered 10
gram smack like substance from the *Gumati* of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 10.07.2025 and has nine criminal antecedents.
There is no allegation of tampering of witnesses alleged against
the petitioner. Nothing incriminating material has been
recovered from the conscious possession of the petitioner. The



alleged Gumati does not belong to the petitioner. The petitioner has been made scapegoat in this case merely because of his previous criminal antecedents. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the recovery of contraband being below the commercial quantity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria P.S. case No. 279 of 2025.

(Rudra Prakash Mishra, J)

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