

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64427 of 2025

Arising Out of PS. Case No.-252 Year-2025 Thana- AMAUR District- Purnia

Md Kasim @ Kasim S/o Late Shaid @ Sahid Akhtar R/o Village- Amour,
P.S.- Amour, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Amour
P.S. Case No. 252 of 2025 instituted for the offences under
Sections 8/20(b)(ii) (B) of the N.D.P.S. Act.

3. As per prosecution case, the police has recovered
total 2.448 Kilograms Ganja including five packets of Cigarette
and electronics weighing machine from the house of the
petitioner. It is also alleged that on the disclosures made by the
petitioner, the police also recovered 70 grams Ganja from the
shop of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that nothing incriminating/contraband has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized contraband. 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. The petitioner has one criminal antecedent and is languishing in judicial custody since 13.06.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also the quantity of the seized contraband being below the commercial quantity, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amour P.S. Case No. 252 of 2025, subject to the following conditions;



(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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