

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69232 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- DIGHALBANK District- Kishanganj

Shahnawaz Shah S/o Kalimuddin Shah @ Kalimuddin Resident of Village-
Bela Lohagarha Hat, P.S.- Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate
For the State : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-09-2025 Heard Ms. Diksha, learned counsel for the petitioner
and learned APP representing the State.

2. The petitioner is in custody in connection with Dighalbank P.S. Case No. 115 of 2024 registered for the offence punishable under sections 8(c) and 21(b) of the Narcotic Drugs & Psychotropic Substance Act, lodged on 19.09.2024 by the informant, Tapan Kumar Rai.

3. As per the prosecution story, the informant alleged that the SSB upon secret information, intercepted a motorcycle and there is recovery/seizure of 52.04 grams of brown sugar like substance from one Mohammad Saddam Hussain Ansari and 52 grams from this petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that though recovery/seizure of 52 grams Narcotic Substance has



been shown from pocket of the petitioner, the same is below commercial quantity and the police only to implicate has made the said story. He further submits that one of co-accused, Mohammad Saddam Hussain Ansari has been granted bail in Cr. Misc. No. 82958 of 2024.

5. Learned APP opposes the prayer for bail submitting that the petitioner has two criminal antecedent.

6. Considering the submissions of the parties as also the fact that the petitioner has remained in custody since 19.09.2024 and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS Act), Kishanganj, in connection with Dighalbank P.S. Case No. 115 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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