

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70186 of 2025

Arising Out of PS. Case No.-231 Year-2025 Thana- JAYNAGAR District- Madhubani

Md. Sharuk S/O Md. Kismat R/O Village- Yogiya, P.S- Ladaniya, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Jaynagar P.S. Case No. 231 of 2025 registered for the alleged offences under Sections 8(c), 20, 21(b), 21(c), 22 of the N.D.P.S. Act.

03. As per prosecution case, secret information was received about two persons carrying narcotics drug on a four wheeler. The identified vehicle was stopped and petitioner and co-accused Md. Chand were apprehended. From the search of the vehicle, recovery of 18.75 grams of *Ganja* and 11.79 gram of brown sugar was made. The petitioner is one of the apprehended persons.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession. The petitioner was the driver of the vehicle from which recovery has allegedly been made. The owner of the said vehicle has used the petitioner as driver of the vehicle and on his asking, the petitioner sent with the vehicle to Jaynagar market for purchase of grocery items. Learned counsel further submits that the recovered contraband brown sugar weighed 11.75 grams, which is more than the small quantity but much less than the commercial quantity. Recovery of 18.75 gram *Ganja* is much less than the small quantity. The quantity of recovered contraband shows, the same could have been for personal consumption. The petitioner is having clean antecedent. The co-accused Md. Chand has been granted bail by a Co-ordinate Bench vide order dated 17.09.2025 passed in Criminal Misc. No. 67313 of 2025. The petitioner is in custody since 02.07.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the much less than the commercial quantity of the contraband said



to be recovered from the vehicle being driven by the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Principal Sessions Judge, Madhubani/court concerned in connection with Jaynagar P.S. Case No. 231 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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